

1 BILL NO. G-86-09-09 (AS AMENDED) (AS AMENDED)

2 GENERAL ORDINANCE NO. G- 34-86

3 AN ORDINANCE regulating the use
4 and placement of signs within the
City of Fort Wayne, Indiana.

5 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL
6 OF THE CITY OF FORT WAYNE, INDIANA:

7 CHAPTER 34

8 "SIGNS"

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20 34.010 - Purpose. The sign regulations for this chapter
21 are set forth in this Chapter. Any additional conditions imposed
22 by the State of Indiana or federal government and other applicable
23 ordinances or regulations also apply.

24 The regulation of signs is necessary for the following
25 reasons:

- 26 (A) To preserve the unique character of certain areas
27 of the city;
- 28 (B) To protect and promote property values and economic
29 growth of the community;
- 30 (C) To protect the public safety and welfare from
31 damages or injury partially attributed to dis-
32 tractions and/or obstructions caused by improperly
33 situated and/or flashing signs;

1 (D) To promote the convenience and enjoyment of travel
2 within the City of Fort Wayne;

3 (E) To improve appearance and aesthetic quality of
4 the community.

5 34.020 - Definitions. For the purposes of this chapter,
6 the following words and phrases shall have the meanings respectively
7 ascribed to them by this section:

8 (A) Sign shall mean any identification, description,
9 symbol, illustration or device which is in view
10 of the general public and which identifies or
11 directs attention to a person, place, product,
12 service, activity, institution or business.

13 (B) On-Premise Sign shall mean any sign which identifies
14 or directs attention to a product, service, activity
15 or business conducted on the premises on which
16 the sign is located.

17 (C) Off-Premise Sign shall mean any sign which identifies
18 or directs attention to a product, service, or
19 activity not conducted on the premises on which
20 the sign is located;

21 (D) Area of Sign shall mean the area of the largest
22 single face of the sign, within a perimeter which
23 forms the outside shape including any frame which
24 forms an integral part of the display, but excluding
25 necessary supports, uprights or structures on
26 which the sign may be placed. If the sign consists
27 of more than one section or module, all areas
28 will be totaled. Individual letters mounted or
29 painted on a wall shall be calculated as copy
30 area.

31 (E) Construction Sign shall mean any sign announcing
32 the names of architects, engineers, contractors

1 or other individuals or firms involved with the
2 construction, alteration, or repair of a building
3 project or announcing the character of the building
4 enterprise or the purpose for which the project
5 is intended.

6 (F) Copy Area shall mean the area in square feet of
7 the smallest geometric figure which encloses the
8 area enclosed by the actual copy of a sign.

9 (G) Copy (Permanent and Changeable) shall mean the
10 wording on a sign surface either in permanent
11 or removable letter form;

12 (H) Direction Sign shall mean any sign which serves
13 solely to designate the location or direction
14 of any area or place;

15 (I) Directory Sign shall mean a sign which provides
16 a listing of uses or tenants within a particular
17 building or complex of buildings.

18 (J) Facade shall mean any face of a building which
19 faces a street, private roadway, parking lot,
20 pedestrian walkway, or exterior wall at an angle
21 to a street;

22 (K) Flashing Sign shall mean any sign which contains
23 or is lighted by an externally mounted inter-
24 mittent or flashing light source.

25 (L) Ground Sign shall mean a billboard or similar
26 type of sign which is supported by one or more
27 uprights, poles, or braces in or upon the ground
28 other than a pole sign, as defined in this Chapter;

29 (M) Health Care Facilities. Health care facilities
30 shall mean a building or structure, licensed or
31 approved by the state or an appropriate agency,
32 if required, used as any of the following:

1 (a) Hospitals: A hospital may include offices
2 of medical societies, offices of charitable
3 public health associations and private office
4 space for the practice of medicine and dentistry
5 under a license from the department of health
6 of the state of Indiana, provided, that any
7 such private offices for the practice of
8 medicine and dentistry shall be located on
9 the hospital lot and the doctors and dentists
10 involved therein must be on the staff of
11 the hospital;

12 (b) Convalescent or nursing home;

13 (c) A facility in which sixteen (16) or more
14 people reside while receiving therapy, coun-
15 seling, or rehabilitation for physical, emo-
16 tional, or mental disease or disability;

17 (d) A facility for out-patient physical, occupa-
18 tional, or vocational therapy or rehabilitation;

19 (e) Public health clinics and facilities.

20 Except as provided in (a) above, health care facili-
21 ties does not include doctors' or dentists' pro-
22 fessional offices and private clinics.

23 (N) Height of a Sign shall mean the distance between
24 the lowest grade level within two (2) feet of
25 either side of a sign, and the highest part of
26 the sign or its supporting structure;

27 (O) Illuminated Sign shall mean any sign which is
28 directly lighted by any electrical light source,
29 internal or external (See 34.050 (c));

30 (P) Marquee (or canopy or mansard-type projection)
31 shall mean a permanent roof-like shelter extending
32 from part or all of a building face;

- 1 (Q) Marquee Sign (or canopy sign) shall mean a sign
2 designed and constructed as an integral part of
3 a marquee or giving the appearance of being an
4 integral part of a marquee;
- 5 (R) Mobile Sign shall mean a sign which is designed
6 to be moved from one location to another by means
7 of wheels;
- 8 (S) Pole Sign shall mean a sign wholly supported by
9 a sign structure in the ground with any part of
10 the copy area having a minimum of ten (10) foot
11 clearance above grade;
- 12 (T) Projecting Sign shall mean a sign other than a
13 wall sign which is attached to and projects from
14 a structure or building face and does not project
15 above roofline or cornice wall;
- 16 (U) Projection shall mean the distance by which a
17 sign extends beyond a building or structure;
- 18 (V) Real Estate Sign shall mean any sign which identi-
19 fies an offer of the sale, rental, or lease of
20 the premises on which it is located;
- 21 (W) Roof Sign shall mean any sign or part erected
22 upon, against, or directly above a roof or on
23 top of or above the parapet or cornice wall of
24 a building;
- 25 (X) Rotating Sign shall mean any sign or portion of
26 a sign which moves in a revolving or similar manner,
27 but not including multi-prism indexing signs;
- 28 (Y) Seasonal or Holiday Signs shall mean signs used
29 for special noncommercial occasions, such as
30 religious and national holidays, and installed
31 for a limited period of time;
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1 (Z) Temporary Sign shall mean a sign which is not
2 permanently erected or affixed including all devices
3 such as banners, pennants, flags (not intended
4 to include flags of any nations) or advertising
5 display constructed of cloth, canvas, light fabric,
6 cardboard, wallboard, or other light materials,
7 with or without frames, intended to be displayed
8 for a limited period of time only;

9 (AA) Wall Sign shall mean any sign attached to the
10 wall whether parallel or at an angle to the wall
11 of a building with the display surface to which
12 it is attached, and which projects no more than
13 twelve (12) inches from said wall surface;

14 (BB) Window Sign shall mean a sign installed on a window
15 which is intended to be viewed from outside the
16 premises and is three (3) feet or less from the
17 window or is located within a window display area
18 formed by walls or doors that block the view into
19 the main building.

20 34.030 - Requirement of Permit. A sign permit shall
21 be required before the erection, construction, placing or locating
22 of all signs regulated by this ordinance, except as otherwise
23 exempted in this Chapter.

24 34.040 - Maintenance and Removal.

25 (A) All signs, including, but not limited to, those
26 signs for which permits are required, shall be
27 maintained in a good state of repair, including
28 replacement of defective parts, painting, cleaning
29 and other acts required for the maintenance of
30 said sign.

31 The Zoning Enforcement Officer for the City
32 of Fort Wayne, or his/her authorized representative,

1 hereinafter the "Zoning Enforcement Officer",
2 shall have the right of entry in order to inspect
3 all signs for compliance with the provisions of
4 this ordinance.

5 When any sign is not maintained within the
6 provisions of this ordinance or determined otherwise
7 unsafe, the Zoning Enforcement Officer, or his/her
8 authorized representative, shall send written
9 notice to the owner of the property on which the
10 sign is located and the owner of sign to remove,
11 repair or alter the sign. If said sign is not
12 removed, repaired, or altered within 90 working
13 days, the Zoning Enforcement Officer, or his/her
14 authorized representative, can cause the sign
15 to be removed, repaired, or altered at the expense
16 of the owner of the property in accordance with
17 the provisions of this Chapter;

18 (B) Signs shall be considered no longer functional
19 and abandoned when they cease to perform their
20 intended function.

21 Signs which are no longer functional or aban-
22 doned shall be removed within 90 days following
23 such abandonment. If said sign is not removed,
24 the Zoning Enforcement Officer, or his/her authorized
25 representative, shall send written notice to the
26 owner of the property on which the sign is located,
27 notifying him that said sign must be removed within
28 90 working days or the City of Fort Wayne can
29 cause the sign to be removed at the expense of
30 the owner of the sign;
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1 (C) Any legally established sign that does not comply
2 with the provisions of this Chapter "Nonconforming
3 Sign" shall be permitted as long as there is no
4 alteration in size or location. If such sign is
5 damaged or dilapidated more than fifty percent
6 (50%) of its replacement cost, according to appraisal
7 by a licensed appraiser, at time of damage or
8 repair, it shall not be rebuilt; provided, that
9 nothing in this section shall prevent maintenance,
10 repainting or normal repair of legally established
11 nonconforming signs except as otherwise provided
12 in this Chapter;

13 34.050 - Miscellaneous Provisions.

- 14 (A) No sign or part hereof shall be erected or main-
15 tained except in conformance with the provisions
16 of this Chapter;
- 17 (B) No sign or part thereof shall be erected or main-
18 tained in required front, side, or rear yard in
19 any zoning district as setforth in the Zoning
20 Ordinance, Chapter 33 of the Municipal Code of
21 the City of Fort Wayne, except as provided in
22 this Chapter;
- 23 (C) Signs may be illuminated by direct or indirect
24 lighting sources, provided that the beam from
25 an indirect source shall be effectively concealed
26 from view. Signs which incorporate in any manner
27 any flashing, moving or revolving illumination
28 are not permitted except as provided in this Chapter
29 and provided that the illumination of any sign
30 shall not exceed 300 foot lamberts as measured
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1 at any point on the property line upon which the
2 sign is located;

3 (D) No sign shall blink or flash, nor be illuminated
4 by any device so as to appear to blink or flash,
5 except as otherwise expressly provided in this
6 Chapter;

7 (E) No sign shall move, rotate, revolve, or simulate
8 movement by means of spinning, fluttering, or
9 reflective devices or lighting, except a sign
10 may rotate or revolve at a rate not to exceed
11 six (6) revolutions per minute;

12 (F) No sign shall be erected upon, maintained in,
13 encroach upon or overhang any public right-of-way,
14 except as expressly provided in this Chapter;

15 (G) No sign shall be erected upon, against, or directly
16 above a roof or on top of or above the parapet
17 of a building except as expressly provided in
18 this Chapter;

19 (H) No sign shall exceed the maximum height permitted
20 for buildings in the zoning district in which
21 it is located, except as otherwise specifically
22 provided in this Chapter;

23 (I) Every sign shall be permanently attached to the
24 ground, or to a building or structure which is
25 permanently attached to the ground, except for
26 mobile signs;

27 (J) The area of a double-faced sign or V-type sign
28 not exceeding an angle of sixty degrees (60°)
29 is calculated on one face of the sign only;

30 (K) No sign shall be painted on or attached to rocks,
31 trees, or any other natural object, except monument
32 signs;

- 1 (L) Sign regulations for permitted special and con-
2 tingent uses and nonconforming uses shall be the
3 same as those of the Zoning district in which
4 they are located, except as otherwise provided
5 in this Chapter;
- 6 (M) No sign shall be erected, placed, or maintained
7 that obstructs the view of the existing traveled
8 roadway at the corner formed by intersecting streets
9 within that triangular area, bounded by the curb
10 lines and a diagonal line joining points on the
11 property lines located forty (40) feet from the
12 point of intersection of the property lines on
13 two intersecting streets. In the case of rounded
14 corners, the triangular area bounded by the tangents
15 to the curve of the property lines on two inter-
16 secting streets and a diagonal line joining tan-
17 ents to said curves at points that are located
18 forty (40) feet from the point of intersection
19 of said tangents. The tangents referred to are
20 those at the beginning and the end of the curve
21 of the corner. Any obstruction maintained or
22 existing in violation of this section shall be
23 deemed a public nuisance;
- 24 (N) No sign or part thereof shall be erected in those
25 zoning districts which are adjacent to or within
26 the area of the Interstate and Federal-Aid Primary
27 Road Systems in contravention of the advertising
28 controls of the State of Indiana;
- 29 (O) Signs which have any visible moving parts, including
30 signs which are designed to achieve movement by
31 action of wind currents, or which have mobile,
32 revolving, or animated parts are prohibited, ex-

cept for barber poles, time and temperature signs, in non-residential districts no more than 25% of total sign area may provide simulated movement through shimmering by external light, and except as permitted in this Chapter;

(P) Strings of light bulbs are prohibited, unless as decorations associated with a recognized legal holiday or city festival, in no case to be permitted beyond a 45-day period, and consistent with all other regulations in this Chapter.

(Q) Mobile signs may be located in B-1A, B-1B, B-3B, B-4, M-1, M-2 and M-3 districts. Such signs shall be permitted for a period of sixty (60) days. Each improvement location permit for such a sign shall not be issued for less than seven (7) days.

34.060 - Permitted Signs. The specific regulations for signs and their supporting structures in the various zoning districts are as set out in this Chapter. In the event of any conflict, the most restrictive governing provision shall apply.

34.070 - Permitted Signs: Residential Districts.

(A) Permitted Signs; R-A, R-B, R-1, R-2, and R-3, zoning districts. In the R-A, R-B, R-1, R-2 and R-3, zoning districts, one on-premise wall sign, not to exceed one (1) square foot of copy area, nonilluminated and non-reflecting, used to identify block parents, the name of the premises or occupants thereof, or to provide similar information.

34.080 - Permitted Signs; Office District.

(A) Permitted Signs: POD zoning district.

(1) In POD districts, one on-premise wall sign not exceeding thirty-two (32) square feet in area for each main building, limited to

1 identifying the building or activity being
2 conducted on the premises, is permitted per
3 street frontage. Neon or gas tubing shall
4 be used only as internal, or shielded lighting.

5 (2) In the POD district, one on-premise ground
6 sign per street frontage, identifying the
7 name of the office park or primary activity
8 conducted within the district shall be per-
9 mitted. Such sign shall not exceed thirty-two
10 (32) square feet in area, shall have a maximum
11 height of six (6) feet, and shall be permitted
12 with a ten (10) foot setback from the front
13 lot line in the required front yard adjacent
14 to each public street access abutting the
15 perimeter of any POD district. Such sign
16 shall not face any residential district fifty
17 (50) feet away, only one sign per primary
18 entrance shall be permitted.

19 (3) In the POD district, if there is more than
20 one building, a directory sign is permitted.
21 Such sign shall be located in the interior
22 of the development with a maximum height
23 of six (6) feet and not exceed one and one
24 half (1.5) square feet per occupant or 50
25 square feet in total area, whichever is less.

26 (4) Any proposed sign in an POD district shall
27 be subject to Plan Commission review as part
28 of Development Plan process. The sign regu-
29 lation in subparagraphs 1, 2 and 3 above
30 may be modified by the Plan Commission with
31 the granting of development plan approval
32 in conformance with the other requirements

1 of the POD zoning district and other develop-
2 ment plan procedures.

- 3 (5) Pre-existing Signs. Any sign that was legally
4 erected in this district prior to the effective
5 date of this ordinance shall be deemed to
6 have received Plan Commission approval as
7 herein required and shall not be a nonconform-
8 ing sign. Such sign may be converted without
9 Plan Commission approval for new tenants,
10 as long as the location and copy area remains
11 same as that of pre-existing sign.

12 34.090 - Permitted Signs: Business Districts.

- 13 (A) Permitted Signs; B-1A, and B-1B zoning district.

14 In the B-1A and B-1B zoning district. Signs are
15 permitted in accordance with the following regu-
16 lations:

- 17 (1) On-premise wall signs on building facades,
18 per business, attached to the face of the
19 building, marquee, or mansard roof or substan-
20 tially parallel thereto and not projecting
21 beyond or above the roof or top of the cornice
22 wall, are permitted. The copy area of such
23 wall signs per building facade shall not
24 exceed twenty-five percent (25%) coverage
25 of the wall face or a total of one hundred
26 (100) square feet, whichever is the lesser.
- 27 (2) One on-premise pole sign per building per
28 street frontage is permitted. Such signs
29 shall be spaced a minimum of fifty (50) feet
30 apart between two lots along any street frontage
31 If such sign is within 100 feet or less of
32 any City or County residential district or

1 less than fifty (50) feet from any City or
2 County office district in any direction along
3 frontage on both sides of a street and cross
4 streets, it shall not exceed fifty (50) square
5 feet in area, and shall have a maximum height
6 of fifteen (15) feet. Any such sign located
7 more than 100 feet from City or County residential
8 district or more than fifty (50) feet from
9 any City or County office district in any
10 direction, along frontage on both sides of
11 a street and cross streets, shall be spaced
12 fifty (50) feet apart between two lots along
13 any street frontage and shall not exceed
14 one hundred (100) square feet in area and
15 not exceed 1 1/2 times the height of the
16 building it advertises or 35 feet in height,
17 whichever is less. Such signs shall be located
18 a minimum of 7.5 feet from front lot line.

19 Where more than one business is located
20 on a lot, the on-premise pole signs permitted
21 shall be combined onto one pole. If located
22 within 100 feet or less of any City or County
23 residential district and 50 feet from any
24 City or County office district in any direction
25 along frontage on both sides of a street
26 and cross streets, the resultant sign shall
27 not exceed twenty-four (24) square feet per
28 business or one hundred (100) square feet
29 in total area, whichever is less. Such pole
30 signs shall be spaced a minimum of fifty
31 (50) feet apart between two lots along any
32 street frontage. Such sign shall have a

1 maximum height of twenty (20) feet. If such
2 sign is located 100 feet or more from any
3 City or County residential or 50 feet or
4 more from any City or County office zoning
5 districts in any direction along frontage
6 on both sides of a street and cross streets,
7 the resultant sign shall not exceed fifty
8 (50) square feet per business or two hundred
9 (200) square feet in total area, whichever
10 is less. Such pole signs shall be spaced
11 a minimum of one hundred (100) feet apart
12 between two lots along any street frontage.
13 Such sign shall have a maximum height of
14 1 1/2 times the height of building it advertises
15 or thirty-five (35) feet, whichever is less.
16 Such sign shall be located a minimum of 7.5
17 feet from front lot line.

- 18 (3) In lieu of the sign permitted in paragraph
19 (2) above, one on-premise ground sign is
20 permitted, such ground signs shall be spaced
21 a minimum of fifty (50) feet apart between
22 two lots along any street frontage. If such
23 sign is located within twenty-five (25) feet
24 from any City or County residential or within
25 two (10) feet from any City or County office
26 district, it shall not exceed thirty-two
27 (32) square feet in area and five (5) feet
28 in height, such signs may be located in the
29 required front yard but no closer than five
30 (5) feet from the front lot line. If such
31 sign is located more than twenty-five (25)
32 feet from any City or County residential

1 or more than ten (10) feet from any City
2 or County office district it may be 50 square
3 feet in area and six (6) feet in height and
4 no closer than five (5) feet from front lot
5 line.

6 Where more than one business is located
7 on a lot, the on-premise ground signs shall
8 be combined. If such resultant sign is located
9 within 50 feet from any City or County resi-
10 dential or within 25 feet from any City or
11 County office district, the resultant sign
12 shall not exceed twenty (20) square feet
13 per business nor seventy-five (75) square
14 feet in total area, whichever is less. Such
15 ground sign shall be spaced a minimum of
16 fifty (50) feet apart between two lots along
17 any street frontage. Such sign may be located
18 in the required front yard but no closer
19 than five (5) feet from the front lot line
20 and shall not exceed six (6) feet in height.
21 If such combined resultant sign is located
22 more than 50 feet from any City or County
23 residential or more than 25 feet from any
24 City or County office district it shall not
25 exceed thirty-two (32) square feet per business
26 nor one-hundred (100) square feet total area,
27 whichever is less, shall be located at least
28 seventy-five (75) feet apart between two
29 lots along any street frontage and have a
30 maximum height of eight (8) feet.

- 31 (4) In lieu of the sign permitted in paragraphs
32 (2) and (3) above, one on-premise projecting

1 sign is permitted. Said projecting sign
2 may project from a building a maximum of
3 six (6) feet and may project into a required
4 front yard, but it shall not project above
5 the roof line or top of a cornice wall. Such
6 sign shall have a minimum ground clearance
7 of eight (8) feet above the walk or grade
8 below. The maximum area of such sign shall
9 be forty (40) square feet.

10 Where more than one business is located
11 on the lot, the on-premise projecting signs
12 shall be combined, and resultant sign shall
13 not exceed fifteen (15) square feet per business
14 nor seventy-five (75) square feet in total
15 area, whichever is less.

16 (5) One on-premise marquee sign is permitted.
17 This sign may be attached to the marquee
18 provided such sign does not exceed three
19 (3) feet in height, may be as long as the
20 marquee and is designed as an integral part
21 of the marquee. Those signs projecting above
22 or below the marquee shall be erected at
23 a ninety (90) degree angle to the building,
24 and shall project no more than six (6) feet
25 with a minimum clearance of eight (8) feet
26 above the walk or grade below, and shall
27 not project above the cornice or roof of
28 the building.

29 (6) (i) One off-premise sign not exceeding one
30 hundred (100) square feet in total area
31 is permitted in the B-1A and B-1B zoning
32 districts. Each off-premise sign may

1 contain a maximum of two (2) sign faces
2 facing the same direction as long as
3 the total sign area is not exceeded
4 and the two (2) faces are not separated
5 by more than twelve (12) inch distance.
6 Such sign shall be no closer than fifteen
7 (15) feet to the front lot line, shall
8 not exceed sixteen (16) feet in height.
9 Such sign shall be spaced three hundred
10 (300) feet from any other off-premise
11 sign with 100 square feet or less in
12 area and 500 feet from any other off-
13 premise sign with 300 square feet or
14 less in area in any direction along
15 frontage on both sides of a street and
16 cross streets. Such off-premise sign
17 shall not be located closer than two
18 hundred (200) feet from any City or
19 County residential district and from
20 any church, school and health care facility.
21 Such off-premise sign shall not be located
22 closer than 100 feet from any City or
23 County office district.

24 (ii) A double-faced off-premise sign or a
25 V-type off-premise sign not exceeding
26 an angle of sixty degrees (60°) and
27 is not further than 12" at the closest
28 point between the two faces shall be
29 exempt from the spacing requirements
30 between such two sign faces only.

31 (7) Within fifty (50) feet of any City or County
32 residential or office zoning district, no
33 pole sign shall face directly toward such
34 district.

1 (B) Permitted Signs; B-2, Zoning District. In the
2 B-2 zoning district, the specific regulations
3 are as follows:

4 (1) Except as provided herein, all signs shall
5 be attached to a building or marquee and
6 shall not project above the top of the building
7 or marquee to which they are attached. Signs
8 attached to a building shall be substantially
9 parallel thereto and shall not project more
10 than one (1) foot from the face thereof.

11 All signs must show only the name and use
12 of the store or premise for which they are
13 erected or the identification for the entire
14 commercial area. The copy area of wall signs
15 on building facade per business shall not
16 exceed twenty-five percent (25%) coverage
17 of the wall surface, or 200 square feet in
18 area, whichever is less.

19 (2) One on-premise pole or ground sign or other
20 graphic identification identifying the entire
21 commercial area within a B-2 district and
22 not exceeding the maximum square footage
23 in area and height as provided in this section
24 may be permitted on each public street abutting
25 the perimeter of such district, provided
26 that such street frontage shall extend for
27 a contiguous distance of no less than three
28 hundred (300) feet. In a B-2 zoning district,
29 if the frontage along a public street exceeds
30 one thousand (1,000) feet, there may be two
31 such on-premise pole or ground signs permitted
32 but not located closer than five hundred

1 (500) feet to each other. In addition, any
2 distinct commercial area within the entire
3 B-2 district which has an area of ten (10)
4 acres or more and is designed as a distinct
5 shopping complex shall be permitted one on-
6 premise pole or ground sign, not exceeding
7 one hundred (100) square feet in area on
8 each public or private street abutting the
9 perimeter of said area; provided that such
10 frontage shall extend for a contiguous distance
11 of no less than three hundred (300) feet.

12 Conforming signs are permitted in the
13 required front yard but not closer than twenty
14 (20) feet from the front property line.
15 The maximum square footage for each district
16 shall be:

17 B-2A	Area 150 square feet; Height 35 feet
18 B-2B & B-2C	Area 200 square feet; Height 40 feet
19 B-2D	Area 400 square feet; Height 50 feet

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23 (3) One on-premise marquee sign per business
24 is permitted. Such on-premise marquee signs
25 may be attached to the marquee provided such
26 signs do not exceed three (3) feet in height
27 and are designed as an integral part of the
28 marquee. Those signs projecting above or
29 below the marquee shall be erected at a ninety
30 (90) degree angle to the building and shall
31 project no more than six (6) feet with a
32 minimum clearance of eight (8) feet above

1 the walk or grade below and shall not project
2 above the cornice wall or roof of the building.
3 All such marquee signs below the marquee
4 shall not exceed twelve (12) square feet
5 in area.

6 (4) Any proposed signs in the B-2 zoning district
7 shall be subject to Plan Commission review
8 as part of Development Plan process. The
9 sign regulations in subparagraphs 1, 2, and
10 3 above may be modified by the Plan Commission
11 with the granting of Development Plan approval
12 in conformance with all other requirements
13 of the applicable Development Plan procedures.

14 (5) Pre-existing Signs: Any sign that was legally
15 erected in this district prior to the effective
16 date of this ordinance shall be deemed to
17 have received Plan Commission approval as
18 herein required and shall not be a nonconform-
19 ing sign. Such sign may be converted without
20 Plan Commission approval for new tenants,
21 as long as the location and copy area remains
22 same as that of pre-existing sign.

23 (c) Permitted Signs; B-3-A Zoning District. In the
24 B-3-A zoning district, the specific regulations
25 are as follows:

26 (1) One on-premise marquee sign is permitted.
27 Such on-premise marquee signs may be attached
28 to the marquee provided such signs do not
29 exceed three (3) feet in height, may be as
30 long as the marquee and are designed as an
31 integral part of the marquee. Those signs
32 projecting above or below the marquee shall

1 be erected at a ninety (90) degree angle
2 to the building and shall project no more
3 than six (6) feet with a minimum clearance
4 of eight (8) feet above the walk or grade
5 below and shall not project above the cornice
6 wall or roof of the building. All such marquee
7 signs below the marquee shall not exceed
8 twelve (12) square feet in area.

9 (2) On-premise wall signs on building facades,
10 per business, attached to the face of the
11 building, marquee, or mansard roof or substantially
12 parallel thereto and not projecting above
13 or beyond the roof or top of the cornice
14 wall, are permitted. Such wall signs shall
15 project not more than twelve (12) inches
16 from the facade of the building with a minimum
17 clearance of eight (8) feet above the walk
18 or grade below. The copy area of such wall
19 signs per building facade shall be as follows:

- 20 (i) If the sign is located up to fifty (50)
21 feet height above the sidewalk, it shall
22 not exceed fifty (50) square feet;
23 (ii) If the sign is located over fifty (50)
24 feet above the sidewalk, it shall not
25 exceed one hundred (100) square feet;
26 (iii) If the sign is located over one hundred
27 (100) feet above the sidewalk, it shall
28 not exceed three hundred (300) square
29 feet.

30 (3) One on-premise pole sign per building per
31 street frontage is permitted. Such sign
32 shall be spaced a minimum of fifty (50) feet

1 apart between two lots along any street frontage.
2 Such pole sign shall not exceed one hundred
3 (100) square feet in area and shall have
4 a maximum length of 1 1/2 times the height
5 of building it advertises or thirty five
6 (35) feet whichever is less and shall be
7 located a minimum of fifteen (15) feet from
8 the front lot line.

9 (4) Strings of light bulbs may be used and signs
10 may blink or flash, except for the area covered
11 by the Calhoun Street Sign Ordinance. Signs
12 having electronically changing copy area
13 shall not exceed the provisions of paragraph
14 (1) and (2) above.

15 (5) Signs located in Calhoun Street shall comply
16 with the Calhoun Street Sign Ordinance, Chapter
17 3.5 of the Code of the City of Fort Wayne
18 as well as this Ordinance. In the event
19 of conflict between this ordinance and the
20 Calhoun Street Ordinance, the Calhoun Street
21 Ordinance will apply.

22 (D) Permitted Signs; B-3B and B-4 Zoning Districts.
23 In the B-3-B and B-4 zoning districts. Signs
24 are permitted in accordance with the following
25 regulations:

26 (1) One on-premise wall sign on the building
27 facade per business, attached to the face
28 of the building, marquee, or mansard roof
29 or substantially parallel thereto, and not
30 projecting beyond the roof or top of the
31 cornice wall, is permitted. The copy of
32 such wall signs per building facade shall

1 not exceed thirty percent (30%) coverage
2 of the wall face or a total of one hundred
3 fifty (150) square feet, whichever is less.

- 4 (2) One on-premise pole sign per building per
5 street frontage is permitted. If located
6 within one hundred (100) feet from any City
7 or County residential or within 50 feet from
8 any City or County office district in any
9 direction along frontage on both sides of
10 a street and cross streets, such signs shall
11 be spaced a minimum of fifty (50) feet apart
12 between two lots along any street frontage.
13 Pole sign shall not exceed one hundred (100)
14 square feet in area and a pole sign shall
15 have a maximum height of twenty-five (25)
16 feet, and shall be located a minimum of ten
17 (10) feet from any side lot line. A pole
18 sign may be located not closer than fifteen
19 (15) feet to the front lot line. If such
20 sign is located more than one hundred (100)
21 feet from any City or County residential
22 or more than 50 feet from any City or County
23 office zoning district in any direction along
24 frontage on both sides of a street and cross
25 streets, such signs shall be spaced a minimum
26 of one-hundred (100) feet apart between two
27 lots along any street frontage. Pole sign
28 shall not exceed two hundred and fifty (250)
29 square feet in area and a pole sign shall
30 have a maximum height of 1 1/2 times the
31 height of the building it advertises or fifty
32 (50) feet, whichever is less and shall be
33 located a minimum of ten (10) feet from any

1 side lot line and may be located not closer
2 than fifteen (15) feet to the front lot line.

3 Where more than one business is located
4 on the lot, the on-premise pole signs permitted
5 shall be combined. If located within one
6 hundred (100) feet from any City or County
7 residential or within 50 feet from any City
8 or County office zoning district in any direction
9 along frontage on both sides of a street
10 and cross streets, the resultant sign shall
11 not exceed fifty (50) square feet per business
12 or one hundred and fifty (150) square feet
13 total, whichever is less, in area. Such
14 pole signs shall be spaced a minimum of fifty
15 (50) feet apart between two (2) lots along
16 any street frontage not to exceed 1 1/2 times
17 the height of the building it advertises
18 or thirty-five (35) feet in height, whichever
19 is less. Such sign shall be located a minimum
20 of ten (10) feet from any side lot line and
21 may be located no closer than fifteen (15)
22 feet to the front lot line.

23 If such sign is located more than one
24 hundred (100) feet from any City or County
25 residential or more than 50 feet from any
26 City or County office zoning district in
27 any direction along frontage on both sides
28 of a street and cross streets, the resultant
29 sign shall not exceed one hundred (100) square
30 feet per business or three hundred (300)
31 square feet total, whichever is less, in
32 area. Such pole signs shall be spaced a

1 minimum of one hundred (100) feet apart
2 between two (2) lots along any street frontage,
3 not to exceed 1 1/2 times the height of building
4 it advertises or fifty (50) feet in height,
5 whichever is less.

6 If a single business has a frontage
7 that is more than three hundred (300) feet,
8 a second on-premise pole sign may be installed,
9 provided all other provisions of this regula-
10 tion are met. Such signs shall not exceed
11 one-hundred forty (140) square feet in area,
12 not exceed 1 1/2 times the height of the
13 building it advertises or thirty-five (35)
14 feet in height whichever is less, and not
15 be located closer than ten (10) feet to any
16 side lot line and fifteen (15) feet to front
17 lot line. Such sign shall be spaced a minimum
18 of fifty (50) feet apart between two (2) lots
19 along any street frontage.

- 20 (3) In lieu of the sign permitted in paragraph
21 (2) above, one on-premise ground sign is
22 permitted. If such ground sign is located
23 within twenty-five (25) feet to any City
24 or County residential or no closer than 10
25 feet to any City or County office district
26 it shall not exceed fifty (50) square feet
27 in area and six (6) feet in height and be
28 spaced a minimum of fifty (50) feet apart
29 between two lots along any street frontage,
30 no closer than five (5) feet from the front
31 lot line. If such sign is located more than
32 twenty-five (25) feet from any City or County

1 residential or more than ten (10) feet from
2 any City or County office district it may
3 not exceed seventy-five (75) square feet
4 in area and eight (8) feet in height.

5 Where more than one business is located
6 on the lot, the on-premise ground signs shall
7 be combined. If such ground sign is located
8 within fifty (50) feet from any City or County
9 residential or within twenty-five (25) feet
10 from any City or County office district,
11 the resultant sign shall not exceed thirty
12 (30) square feet per business nor one-hundred
13 (100) square feet in total area, whichever
14 is less, and spaced a minimum of fifty (50)
15 feet apart between two lots along any street
16 frontage, no closer than five (5) feet to
17 the front lot line and shall not exceed eight
18 (8) feet in height. If such combined sign
19 is located more than fifty (50) feet from
20 any City or County residential district or
21 more than 25 feet from any City or County
22 office district it shall not exceed forty-five
23 (45) square feet per business nor one hundred
24 fifty (150) square feet in total area, whichever
25 is less, shall be spaced seventy-five (75)
26 feet apart between two lots along any street
27 frontage and have a maximum height of ten
28 (10) feet and not be located closer than
29 five (5) feet to the front lot line.

30 (4) In lieu of the sign permitted in paragraphs
31 (2) and (3) above, one on-premise projecting
32 sign for each business may project from the

1 building a maximum of six (6) feet and shall
2 not project above the roof line or top of
3 a cornice wall. Such sign shall have a minimum
4 clearance of eight (8) feet above the walk
5 or grade below, and a maximum area of fifty
6 (50) square feet.

7 Where more than one business is located
8 on the lot, the on-premise projecting signs
9 shall be combined. The combined sign shall
10 not exceed thirty (30) square feet per business
11 nor one hundred (100) square feet in total
12 area, whichever is less.

13 (5) One on-premise marquee sign may be attached
14 to the marquee but not extend into or over
15 the public rightof-way, provided such signs
16 do not exceed five (5) feet in height, may
17 extend as long as the marquee and are designed
18 as an integral part of the marquee. Those
19 signs projecting above or below the marquee
20 shall be erected at a ninety degree (90°)
21 angle to the building and shall project no
22 more than six (6) feet with a minimum clearance
23 of eight (8) feet above the walk or grade
24 below and shall not project above the cornice
25 wall or roof of the building.

26 (6) One off-premise sign is permitted as follows:

27 (i) One off-premise sign not exceeding one
28 hundred (100) square feet in total area
29 is permitted in the B-3B and B-4 zoning
30 districts. Each off-premise sign may
31 contain a maximum of two (2) sign faces
32 facing the same direction as long as

1 the total sign area is not exceeded
2 and the two (2) faces are not separated
3 by more than 12 inch distance. Such
4 sign shall be no closer than fifteen
5 (15) feet to the front lot line, shall
6 not exceed sixteen (16) square feet
7 in height. Such sign shall be spaced
8 two hundred fifty (250) feet from any
9 other off-premise sign with one hundred
10 (100) square feet or less in area, three
11 hundred (300) feet from any other sign
12 with three hundred (300) square feet
13 or less in area in any direction along
14 frontage on both sides of a street and
15 cross streets. Such sign shall be
16 spaced seven hundred fifty (750) feet,
17 on same side of a street and two hundred
18 fifty (250) feet in any direction along
19 frontage on both sides of a street and
20 cross streets from any other off-premise
21 sign with more than three hundred (300)
22 square feet in area. Such off-premise
23 sign shall not be located closer than
24 two hundred (200) feet from any City
25 or County residential district and from
26 any church, school and health care facility.
27 Such off-premise sign shall not be located
28 closer than One Hundred (100) feet from
29 any City or County office district.
30
31
32

1 (ii) In lieu of item (i) above, one off-premise
2 sign not exceeding three hundred (300)
3 square feet in total area is permitted
4 in the B-3B and B-4 zoning districts.
5 Each off-premise sign may contain a
6 maximum of two (2) sign faces facing
7 the same direction as long as the total
8 area is not exceeded and the two (2)
9 faces are not separated by more than
10 12 inch distance. Such sign shall be
11 no closer than twenty (20) feet to the
12 front lot line, shall not exceed 1.5
13 times the height of the adjacent building
14 closest to such sign or thirty-five
15 (35) feet whichever is less. Such sign
16 shall be spaced three hundred (300)
17 feet from any other off-premise sign
18 with three hundred (300) square feet
19 or less in area in any direction along
20 frontage on both sides of a street and
21 cross streets. Such off-premise sign
22 shall be spaced seven hundred fifty
23 (750) feet on same side of a street
24 and two hundred fifty(250) feet in any
25 direction along frontage on both sides
26 of a street and cross streets from any
27 other off-premise sign with more than
28 three hundred (300) square feet in area.
29 Such off-premise sign shall not be located
30 closer than three hundred (300) feet
31 from any City or County residential
32 district and from any church, school

1 and health care facility. Such off-premise
2 sign shall not be located closer than
3 150 feet from any City or County office
4 district.

5 (iii) In lieu of items (i) and (ii) above,
6 one off-premise sign not exceeding six
7 hundred seventy-five (675) square feet
8 in total area is permitted in B-3B and
9 B-4 zoning districts. Each off-premise
10 sign may contain a maximum of two sign
11 faces facing the same direction as long
12 as the two faces are not separated by
13 more than 12 inch distance. Such sign
14 shall be no closer than twenty-five
15 (25) feet to the front lot line, shall
16 not exceed 1.5 times the height of the
17 adjacent building closest to such sign
18 or thirty-five (35) feet whichever is
19 less.

20 The spacing between such off-premise
21 sign and any other off-premise sign
22 shall be as follows:

23 A. The minimum distance between
24 off-premise signs located
25 along and oriented toward
26 the same public street shall
27 be seven hundred fifty (750)
28 feet, subject to the following:
29
30
31
32

1 (a) The spacing requirement
2 shall be applied separately
3 to each side of a public
4 street.

5 (b) The spacing requirement
6 shall be applied continu-
7 ously along the side
8 of a street to all signs
9 oriented toward that
10 street in either direction
11 whether the signs are
12 in the same block or
13 are in different blocks
14 separated by an inter-
15 secting side street.

16 B. In no event shall an off-premise
17 sign be closer than two hundred
18 fifty (250) feet from any
19 other off-premise sign regard-
20 less of location or orientation.

21 C. The method of measurement
22 of the spacing between off-premise
23 signs oriented toward and
24 located along the same side
25 of a street, between signs
26 oriented toward different
27 streets, and between those
28 signs oriented toward but
29 located on opposite sides
30 of the same street, shall
31 be the straight line distance
32 between the nearest point
of each sign.

Such off-premise sign shall not be located closer than Five Hundred (500) feet to any City or County residential district and from any church, school and health care facility. Such off-premise sign shall not be located closer than 250 feet to any City or County office district.

(iv) Each off-premise sign may contain a maximum of two sign faces facing the same direction as long as the total sign area is not exceeded and the two faces are not separated by more than 12 inch distance.

(v) A double-faced off-premise sign or a V-type off-premise sign not exceeding an angle of sixty degrees (60°) and no further than 12" at the closest point between the two faces shall be exempt from the spacing requirements between such two sign faces only.

(7) Within fifty (50) feet of any City or County residential or office zoning districts, no pole sign shall face directly toward such district.

(E) Permitted Signs, I-A Zoning District. In the I-A zoning district, the specific regulations are as follows:

- 1 (1) One on-premise wall sign on the building
2 facade per business, attached to the face
3 of the building, marquee, or mansard roof
4 or substantially parallel thereto and not
5 projecting beyond or above the roof or top
6 of the cornice wall is permitted. The copy
7 area of such wall sign shall not exceed thirty
8 percent (30%) coverage of the wall face,
9 or one hundred fifty (150) square feet, which-
10 ever is less.
- 11 (2) One on-premise pole sign for each building
12 per street frontage is permitted. Such sign
13 shall not be closer than fifty (50) feet
14 to any City or County residential or not
15 be closer than twenty-five (25) feet to any
16 City or County office district. If such
17 sign is located within one hundred (100) feet
18 from any City or County residential or within
19 50 feet from any City or County office district,
20 it shall not exceed one hundred (100) square
21 feet in area, height not to exceed 1 1/2
22 times the height of the building it advertises
23 or thirty-five (35) feet whichever is less
24 and shall be spaced at least fifty (50) feet
25 apart between two (2) lots along any street
26 frontage. If such sign is located more than
27 one hundred (100) feet from any City or County
28 residential or more than 50 feet from any
29 City or County office zoning district, it
30 shall not exceed two hundred (200) square
31 feet in area, height not to exceed 1 1/2
32 times the height of the building it advertises

1 or fifty (50) feet whichever is less and
2 shall be spaced at least one hundred (100)
3 feet apart between two (2) lots along any
4 street frontage. Such signs shall not be
5 located closer than twenty (20) feet to front
6 lot line.

7 Where more than one business is located
8 on a lot, the on-premise pole signs permitted
9 shall be combined. If such combined sign
10 is located within one hundred (100) feet
11 from any City or County residential or within
12 50 feet from any City or County office zoning
13 district, it shall not exceed sixty (60)
14 square feet per business or two hundred (200)
15 square feet total whichever is less, in area.
16 Such pole sign shall be spaced at least one
17 hundred (100) feet apart between two (2)
18 lots along any street frontage. If the combined
19 sign is located more than one hundred (100)
20 feet from any City or County residential
21 or more than 50 feet from any City or County
22 office zoning district it shall not exceed
23 seventy-five (75) square feet per business
24 or three hundred (300) square feet total
25 whichever is less, in area. Such pole sign
26 shall be spaced at least two hundred (200)
27 feet apart between two (2) lots along any
28 street frontage. Such combined pole sign
29 shall not be located closer than twenty (20)
30 feet to front lot line.

- 31 (3) In lieu of the sign permitted in paragraph
32 (2) above, one on-premise ground sign, for

1 each building per street frontage is permitted.
2 Such sign shall not be closer than twenty-five
3 (25) feet to any City or County residential
4 or closer than 10 feet to any City or County
5 office district. If such sign is located
6 within fifty (50) feet from any City or
7 County residential or within 25 feet from
8 any City or County office zoning district,
9 it shall not exceed seventy-five (75) square
10 feet in area, and height not to exceed ten
11 (10) feet. Such sign may be located in the
12 required front yard but not closer than ten
13 (10) feet from the front lot line and spaced
14 fifty (50) feet apart between two (2) lots
15 along any street frontage.

16 If such ground sign is located more
17 than fifty (50) feet from any City or County
18 residential or more than 25 feet from any
19 City or County office zoning district, it
20 shall not exceed one hundred fifty (150)
21 square feet in area, twelve (12) feet in
22 height and spaced seventy-five (75) feet
23 apart between two (2) lots along any street
24 frontage. Such ground sign shall not be
25 located closer than ten (10) feet to front
26 lot line.

27 Where more than one business is located
28 on a lot, the on-premise ground signs shall
29 be combined. If such combined sign is located
30 fifty (50) feet or less from any City or
31 County residential or 25 feet or less from
32 any City or County office zoning district

1 along side or front lot line, it shall not
2 exceed forty (40) square feet per business
3 or one-hundred fifty (150) square feet total
4 in area, whichever is less, not to exceed
5 fifteen (15) feet in height and spaced one
6 hundred (100) feet apart between two (2)
7 lots along any street frontage. If such
8 combined sign is located more than fifty
9 (50) feet from any City or County residential
10 or more than 25 feet from any City or County
11 office zoning district along side or front
12 lot line, it shall not exceed fifty (50)
13 square feet per business or two hundred (200)
14 square feet total in area whichever is less,
15 not to exceed twenty (20) feet in height
16 and spaced at least one-hundred fifty (150)
17 feet apart between two (2) lots along any
18 street frontage. Such ground sign shall
19 not be located closer than ten (10) feet
20 to front lot line.

21 (4) In addition to the foregoing, if a sign is
22 oriented towards an interstate and is within
23 six hundred sixty (660) feet of a designated
24 interstate or Federal Aid Primary Road System,
25 an on-premise pole sign may be seventy-five
26 (75) feet in height and four hundred (400)
27 square feet in area.

28 (5) Any proposed sign in an I-A zoning district
29 shall be subject to Plan Commission review
30 as part of Development Plan process. The
31 sign regulations in subparagraphs 1, 2, 3,
32 and 4 above may be modified by the Plan Commission

1 with the granting of development plan approval
2 in conformance with the other requirements
3 of the I-A zoning district and other develop-
4 ment plan procedures.

5 (6) Within fifty (50) feet of any City or County
6 residential or office zoning districts, no
7 pole sign shall face directly towards that
8 district.

9 (7) Pre-existing Signs: Any sign that was legally
10 erected in this district prior to the effective
11 date of this ordinance shall be deemed to
12 have received Plan Commission approval as
13 herein required and shall not be a nonconform-
14 ing sign. Such sign may be converted without
15 Plan Commission approval for new tenants,
16 as long as the location and copy area remains
17 same as that of pre-existing sign.

18 34.100 - Permitted Signs; Industrial Districts.

19 (A) Permitted Signs; M-1, M-2, and M-3 zoning districts.

20 In the M-1, M-2, and M-3 zoning districts, the
21 specific regulations are as follows:

22 (1) One on-premise wall sign on building facades
23 per business or industry, attached to the
24 face of the building, marquee, or mansard
25 roof or substantially parallel thereto and
26 not projecting above or beyond the roof or
27 top of the cornice wall, are permitted.
28 Such wall signs shall project not more than
29 twelve (12) inches from the facade of the
30 building with a minimum clearance of eight
31 (8) feet above the walk or grade below.
32 The copy area of such wall signs per building

1 facade shall not exceed twenty-five percent
2 (25%) coverage of the wall face or a total
3 of three hundred (300) square feet, whichever
4 is lesser.

- 5 (2) One on-premise pole sign on each street frontage
6 of a lot or a primary building is permitted.
7 If such sign is located within one hundred
8 (100) feet or less from any City or County
9 residential or within 50 feet from any City
10 or County office zoning district, it shall
11 not exceed one hundred (100) square feet
12 in area nor 1 1/2 times the height of building
13 it advertises or thirty-five (35) feet in
14 height, whichever is less. If such sign
15 is located more than one hundred (100) feet
16 from any City or County residential or more
17 than 50 feet from any City or County office
18 zoning district it shall not exceed two hundred
19 (200) square feet in area nor 1 1/2 times
20 the height of the building it advertises
21 or fifty (50) feet in height, whichever is
22 less. Such sign shall be located no closer
23 than fifteen (15) feet from the front lot
24 line and shall be spaced fifty (50) feet
25 apart between two (2) lots along any street
26 frontage.

27 Where more than one (1) company is located
28 on the lot, the on-premise pole signs shall
29 be combined. If such combined sign is located
30 one hundred (100) feet or less from any City
31 or County residential or 50 feet or less
32 from any City or County office zoning district

1 the sign shall not exceed sixty (60) square
2 feet per company or two hundred (200) square
3 feet total, whichever is less, nor 1 1/2
4 times the height of the building it advertises
5 or thirty-five (35) feet in height, whichever
6 is less.

7 If such combined sign is located more
8 than one hundred (100) feet from any City
9 or County residential or more than 50 feet
10 from any City or County office zoning district
11 the sign shall not exceed seventy-five (75)
12 square feet in area per company or three
13 hundred (300) square feet total, whichever
14 is less, in area and height not to exceed
15 1.5 times the height of building or fifty
16 (50) feet, whichever is less. Such pole
17 signs shall be spaced a minimum of one hundred
18 (100) feet apart between two (2) lots along
19 any street frontage. Such combined pole
20 sign shall be located no closer than fifteen
21 (15) feet to front lot line.

- 22 (3) In lieu of the sign permitted in paragraph
23 (2) above, one on-premise ground sign per
24 lot or primary building per street frontage
25 is permitted. If such sign is located
26 fifty (50) feet or less from any City or
27 County residential or twenty-five (25) feet
28 from any City or County office zoning district
29 it shall not exceed seventy-five (75) square
30 feet in area nor eight (8) feet in height.
31 Such sign may be located in the required
32 front yard but not closer than five (5) feet

1 from front lot line. If such sign is located
2 more than fifty (50) feet from any City or
3 County residential or more than twenty-five
4 (25) feet from any City or County office
5 zoning district it shall not exceed one hundred
6 (100) square feet in area nor ten (10) feet
7 in height and shall not be located closer
8 than five (5) feet to the front lot line.
9 Such ground sign shall be spaced a minimum
10 of fifty (50) feet apart between two (2)
11 lots along any street frontage.

12 Where more than one (1) company is located
13 on the lot, the on-premise ground signs shall
14 be combined. If such sign is located within
15 fifty (50) feet from any City or County resi-
16 dential or within twenty-five (25) feet from
17 any City or County office district, the combined
18 sign shall not exceed in area thirty (30)
19 square feet per company or one hundred fifty
20 (150) square feet total, whichever is less,
21 nor ten (10) feet in height and not be located
22 closer than five (5) feet to front lot line.
23 If such combined sign is located more than
24 (50) feet from any City or County residential
25 or more than 25 feet from any City or County
26 office district it shall not exceed in area
27 fifty (50) square feet per company or two
28 hundred (200) square feet total, whichever
29 is less, nor fifteen (15) feet in height
30 and not be located closer than five (5) feet
31 to the front lot line. Such ground signs
32 shall be placed a minimum of seventy-five
(75) feet apart between two lots along any
street frontage.

- 1 (4) One on-premise marquee sign is permitted.
2 Such on-premise marquee signs may be attached
3 to the marquee, provided such signs do not
4 exceed four (4) feet in height, may be as
5 long as marquee and are designed as an integral
6 part of the marquee. Those signs projecting
7 above or below the marquee shall be erected
8 at a ninety (90) degree angle to the building
9 and shall project no more than six (6) feet
10 with a minimum clearance of eight (8) feet
11 above the walk or grade below and shall not
12 project above the cornice wall or roof of
13 the building. All such marquee signs below
14 the marquee shall not exceed twelve (12) square
15 feet in area.
- 16 (5) In lieu of the sign permitted in paragraphs
17 (2) and (3) above, projecting signs may be
18 substituted. Such projecting signs may project
19 from the building a maximum of eight (8)
20 feet and shall not project above the roofline
21 or top of a cornice wall. Such sign shall
22 have a minimum clearance of ten (10) feet
23 above the walk or grade below and a maximum
24 area of forty (40) square feet.
- 25 (6) One off-premise sign is permitted as follows:
26 (i) One off-premise sign not exceeding one
27 hundred (100) square feet in total area
28 is permitted in M-1, M-2 and M-3 zoning
29 districts. Such sign shall be no closer
30 than fifteen (15) feet to the front
31 lot line, shall not exceed sixteen (16)
32 feet in height. Such sign shall be

1 spaced at least two hundred fifty (250)
2 feet from any other off-premise sign
3 with one hundred (100) square feet or
4 less in area and three hundred (300)
5 feet from any other off-premise sign
6 with three hundred (300) square feet
7 or less in area, in any direction along
8 frontage on both sides of a street and
9 cross streets. In M-1 and M-2 districts,
10 such sign shall be spaced six hundred
11 (600) feet and in M-3 district, five
12 hundred (500) feet from any other off-
13 premise sign with more than three hundred
14 (300) square feet in area in any direction
15 along frontage on both sides of a street
16 and cross streets. Such off-premise
17 sign shall not be located closer than
18 two hundred (200) feet to any City
19 or County residential districts and
20 from any church, school and health care
21 facility. Such off-premise sign shall
22 not be located closer than 100 feet
23 to any City or County office district.

24 (ii) In lieu of item (i) above, one off-premise
25 sign not exceeding three hundred (300)
26 square feet in total area is permitted
27 in the M-1, M-2 and M-3 zoning districts.
28 Such sign shall be no closer than twenty
29 (20) feet to the front lot line, shall
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1 not exceed 1.5 times the height of adjacent
2 building closest to such sign or thirty-
3 five (35) feet, whichever is less, and
4 shall be spaced at least three hundred
5 (300) feet from any other off-premise
6 sign with three hundred (300) square
7 feet or less in area in any direction
8 along frontage on both sides of a street
9 and cross streets. In M-1 and M-2 districts,
10 such sign shall be spaced six hundred
11 (600) feet and in M-3 district, five
12 hundred (500) feet from any other off-
13 premise sign with more than three hundred
14 (300) square feet in area in any direction
15 along frontage on both sides of a street
16 and cross streets.

17 Such off-premise sign shall not
18 be located closer than three hundred
19 (300) feet to any City or County resi-
20 dential district and from any church,
21 school and health care facility. Such
22 off-premise sign shall not be located
23 closer than 150 feet to any City or
24 County office district.

25 (iii) In lieu of items (i) and (ii) above,
26 one off-premise sign not exceeding six
27 hundred seventy-five (675) square feet
28 in total area is permitted in M-1 and
29 M-2 zoning districts. Such sign shall
30 be no closer than thirty (30) feet to
31
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1 the front lot line, shall not exceed
2 1.5 times the height of adjacent building
3 closest to such sign or thirty-five
4 (35) feet, whichever is less, and shall
5 be spaced at least six hundred (600)
6 feet from any other off-premise sign
7 in any direction along frontage on both
8 sides of a street and cross streets.
9 Such off-premise sign shall not be located
10 closer than five hundred (500) feet
11 to any City or County residential district
12 and from any church, school, and health
13 care facility. Such off-premise sign
14 shall not be located closer than 250
15 feet to any City or County office district.

16 (iv) In lieu of items (i), (ii) or (iii)
17 above, one off-premise sign not exceeding
18 six hundred seventy-five (675) square
19 feet in area is permitted in M-3 zoning
20 district. Such sign shall be no closer
21 than thirty (30) feet to the front lot
22 line, shall not exceed 1.5 times the
23 height of adjacent building closest
24 to such sign or fifty (50) feet, whichever
25 is less, and shall be spaced five hundred
26 (500) feet from any other off-premise
27 sign in any direction along frontage
28 on both sides of a street and cross
29 streets. Such off-premise sign shall
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1 be located a minimum of three hundred
2 (300) feet from any City or County resi-
3 dential district and from any church,
4 school and health care facility. Such
5 off-premise sign shall not be located
6 closer than 150 feet to any City or
7 County office district.

8 (v) Each off-premise sign may contain a
9 maximum of two sign faces facing the
10 same direction as long as the total
11 sign area is not exceeded and the two
12 faces are not separated by more than
13 12 inch distance.

14 (vi) A double-faced off-premise sign or a
15 V-type off-premise sign not exceeding
16 an angle of sixty degrees (60°) and
17 no further than twelve (12) inches at
18 the closest point between the two faces
19 shall be exempt from the spacing requirements
20 between such two sign faces only.

21 (7) Within fifty (50) feet of any City or County
22 residential or office zoning districts, no
23 pole sign shall face directly towards that
24 district.

25 34.110 - Planned Districts. The Planned Districts
26 addressed by the zoning ordinance covers all districts which
27 require a development plan to be approved by the Plan Commission.
28 These districts shall include POD, B-2 and I-A. In order for
29 any special sign treatment to be approved in these districts,
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1 the developer shall submit a "master sign program" for that de-
2 velopment for the approval of the Plan Commission.

3 Such planned program shall include and address:

4 (A) Design, type, size, light and positioning for
5 all signs.

6 (B) Design type, size and positioning for any and
7 all individual or combined free-standing signs.

8 (C) All "comprehensive sign plan" documents should
9 indicate, for each sign:

10 (1) Size of sign face;

11 (2) Construction material;

12 (3) A rendering of signs;

13 (4) Lighting; and

14 (5) Location.

15 (D) "Comprehensive Sign Programs" may be approved
16 by the Plan Commission, in conjunction with, or
17 subsequent to a preliminary and final development
18 plan. The developer may request Plan Commission
19 approval to start project construction, but may
20 not place or cause to be placed, any sign, without
21 such "Comprehensive Sign Program" approvals.

22 (E) Such signs shall conform to all the requirements
23 of that district.

24 34.120 - Other Permitted Signs. The following signs
25 shall be permitted in the areas specified if they comply with
26 all the requirements of this Chapter. The following signs shall
27 not require a permit:

28 (A) In all residential zoning districts, on-premise
29 ground signs not exceeding twenty (20) square
30 feet in area nor five (5) feet in height,
31 identifying multiple family housing complexes
32 or subdivision areas at each entrance, shall be

1 permitted; provided, that if the sign is a part
2 of an approved landscape screen, then the copy
3 area shall not exceed thirty-two (32) square feet,
4 nor six (6) feet in height. When a part of an
5 approved landscape screen, the sign may be located
6 in the required front yard but not closer than
7 ten (10) feet from the front lot line. Signs
8 within a required front yard may be located only
9 at an entrance to the multiple complex or subdivision
10 area from a major street. No more than two signs
11 may be located at any entrance.

12 (B) In any non-residential zoning district, a subdivision
13 identification sign at each entrance, shall be
14 permitted under the following conditions:

- 15 (1) There shall be permitted on an original tract
16 when the main entrance to the subdivision
17 is from a major street, one sign per entrance.
18 The area of the sign, including support struc-
19 ture, shall not exceed seventy-five (75) square
20 feet.
- 21 (2) It shall not be located in a required side
22 or rear yard and no closer than ten (10) feet
23 to front lot line.
- 24 (3) The height of such signs shall not exceed
25 five (5) feet, with the height to be determined
26 by a measurement from the ground level at
27 the lowest grade level within two (2) feet
28 of either side of the sign.
- 29 (4) Such sign may be ground lighted or internally
30 illuminated.
- 31 (5) Such sign shall only be for the identification
32 of the subdivision.

1 (6) The sign must be kept in good condition,
2 neat appearance, and good state of repair.
3 No debris shall be permitted, constitutes
4 a fire hazard.

5 (C) In all nonresidential zoning districts, a roof
6 sign may be permitted as an alternative to a permitted
7 ground or pole sign if a variance for such sign
8 has first been issued by the Board of Zoning Appeals
9 in conformance with all requirements of Chapter
10 33. Such a sign will conform with the following
11 requirements and the Board of Zoning Appeals cannot
12 grant a waiver from these requirements:

13 (1) The business for which the roof sign is sought
14 offers no feasible opportunity for placement
15 of a ground or pole sign as otherwise authorized
16 within the zoning district;

17 (2) The roof signs shall not be higher than the
18 district height limitation for buildings;

19 (3) All such roof signs shall be finished in
20 such a manner that the visual appearance
21 from all sides is that they are a part of
22 the building itself;

23 (5) A sign on a sloping roof must be a minimum
24 of one (1) foot below the top roof line;

25 (5) The permitted roof sign shall be no larger
26 in area than the ground or pole sign permitted
27 in the zoning district in which said sign
28 is to be located.

29 (6) Such sign shall not be located closer than
30 sixty (60) feet to a residential district.

31 (D) In any zoning district, churches and schools are
32 permitted one on-premise ground sign per street

1 frontage, the area of the sign not to exceed fifty
2 (50) square feet including the structure, and
3 a height not to exceed seven (7) feet. Additionally,
4 one on-premise wall sign is permitted with the
5 area of the sign not exceeding thirty-two (32)
6 square feet.

7 Signs shall not be located in any required yard. One
8 temporary sign not exceeding twenty-four (24) square
9 feet in area and five (5) feet in height is permitted
10 for a maximum of seven (7) days for an event. Such
11 sign shall not be located closer than ten (10) feet
12 to the front lot line.

13 (E) In any zoning district, one on-premise real estate
14 sign may be erected on each street frontage of
15 a premises, identifying an offer for the sale,
16 rent, or lease of all or part of the premises
17 on which it is located. Such sign shall be removed
18 within one week after closing the sale, renting
19 or leasing of the property, and under the follow-
20 ing conditions:

21 (1) In any residential district, such real estate
22 sign shall not exceed six (6) square feet
23 of area. It may be located in a required
24 yard. Its height not to exceed four (4) feet.

25 (2) In any other zoning district, such real estate
26 sign shall not exceed thirty-two (32) square
27 feet in area and shall not be located in
28 any required yard. Its height not to exceed
29 eight (8) feet.

30 (3) In any zoning district, an Auction sign is
31 permitted, the area of the sign shall not
32 exceed thirty-two (32) square feet and a

1 height of six (6) feet. The sign is permitted
2 for twenty-one (21) days prior to auction
3 event and must be removed within five (5)
4 days after the event.

5 (F) In any zoning district, the following on-premise
6 signs shall be permitted;

- 7 (1) Official signs authorized by a government
8 or subdivision thereof, including traffic,
9 directional, and warning signs, public notices,
10 and proclamations erected or displayed in
11 discharge of any government function, or
12 where required by law, ordinance or regulation;
- 13 (2) Flags or banners of any government or sub-
14 division thereof, or of any educational,
15 charitable, religious, political, civic or
16 service organization;
- 17 (3) Historical or commemorative plaques or tablets;
- 18 (4) Memorial plaques, tablets, or building corner-
19 stones, when cut or carved into a masonry
20 surface, or when made of incombustible material
21 and made an integral part of the building
22 or structure it identifies;
- 23 (5) Street names and numbers;
- 24 (6) Reflectors and other safety signs or devices
25 used to mark driveways, towers, airport ap-
26 proaches, and other potentially dangerous
27 structures or situations; as well as warning
28 signs for underground public utilities are
29 permitted;
- 30 (7) Holiday decorations for religious or national
31 holidays are permitted. Such decorations
32 may blink, flash, or move and may be located

1 in a required yard, provided, however, that
2 no such holiday decoration shall interfere
3 with traffic or present any other hazard
4 to the safety or welfare of the public;

5 (8) One temporary construction sign per street
6 frontage shall be permitted at a construction
7 site to identify the nature of the construction
8 and those persons or firms associated within,
9 including contractors, architects, finance
10 companies, and owners. Such signs shall
11 not exceed sixteen (16) square feet of area
12 and six (6) feet in height when located in
13 residential districts. In any other zoning
14 districts, if such sign is located within
15 two hundred (200) feet of any residential
16 district along side and front lot line, it
17 shall not exceed sixty-four (64) square feet
18 of area and ten (10) feet in height. If
19 such sign is located more than two hundred
20 (200) feet from any residential district
21 along side and front lot line, it shall not
22 exceed one hundred twenty-eight (128) square
23 feet in area and twelve (12) feet in height.
24 Such signs may be located ten (10) feet or
25 more from the front lot line;

26 (9) Temporary signs, including banners, pennants,
27 and flags shall be permitted for nonprofit
28 civic activities;

29 (10) Murals, exclusive of any sign copy area,
30 painted on the wall of a building, fence,
31 or similar structure shall be permitted.
32

- (11) Historically significant signs may be exempted from the provisions of this Chapter after being reviewed and approved by the Historic Preservation Review Board and in conformance with any historic preservation ordinance adopted by the City;
- (12) Information signs, not to exceed six (6) square feet in area and three (3) feet in height which direct traffic within a premises, or which identify the location of restrooms, telephone, freight entrances, etc., are permitted;
- (13) Political campaign signs are permitted. These signs shall be permitted not more than sixty (60) days prior to the nomination, election or referendum which it advertises, and shall be removed within fifteen (15) days after the announced results of that nomination, election or referendum;
- (14) Temporary institutional signs, not to exceed thirty-two (32) square feet in area announcing a campaign, drive or other event of a civic, philanthropic, education or religious organization are permitted. These signs shall be permitted not more than thirty (30) days prior to the event and shall be removed within seven (7) days after the event;
- (15) Warning signs, warning the public against hunting, fishing, trespassing, dangerous animals, swimming, etc. are permitted, provided the area of such signs not exceed four (4) square feet and height not exceed three (3) feet.

- 1 (G) In POD and all business and industrial districts,
2 one sign primarily for the displaying of the time,
3 temperature, weather, or similar public service
4 information shall be permitted. The copy area
5 displaying such information may change, blink,
6 flash, or have the appearance of movement; provided
7 that the changing copy area shall not exceed seventy-
8 five percent (75%) of the total copy area. Such
9 sign shall be integrated as a part of the permitted
10 sign for the premises on which it is located.
- 11 (H) In all business and industrial zoning districts,
12 temporary wall signs identifying special sales
13 and openings, shall be permitted on the premises
14 of commercial establishments for no more than
15 sixty (60) days in any calendar year. No such
16 signs exceeding sixty (60) square feet in area.
- 17 (I) In all nonresidential districts, direction signs
18 not exceeding six (6) square feet in area and
19 three (3) feet in height above grade are permitted.
20 Such signs may be located in any required yard.
- 21 (J) The following signs are permitted on the premises
22 used as service stations, in addition to those
23 signs otherwise permitted in the zoning district
24 in which such service station is located:
- 25 (1) Signs are permitted on either face of the
26 gas pump not to exceed a total copy area
27 of four (4) square feet each side per motor
28 fuel dispenser;
- 29 (2) One additional on-premise wall sign per street
30 frontage not exceeding six (6) square feet
31 of area each is permitted.
32

- 1 (3) One additional on-premise canopy sign per
2 canopy face, except if it faces an abutting
3 City or County residential or office district,
4 not to exceed fifty (50) square feet per
5 face;
- 6 (4) One two faced sign identifying self-service,
7 full service and gas prices, each face not
8 to exceed fifty (50) square feet in area
9 per street frontage;
- 10 (5) Island signs not to exceed aggregate area
11 of 10 square feet per side per island.
- 12 (K) In all nonresidential zoning districts, permanent
13 window signs shall be permitted, provided that
14 such signage does not cover more than twenty-five
15 percent (25%) of the area of any window.
- 16 (L) In any commercial district, two (2) on-premise
17 free-standing signs each not to exceed twenty
18 (20) square feet in area or one (1) on-premise
19 ground sign not to exceed thirty-two (32) square
20 feet in area functioning as menu boards are permitted
21 in conjunction with an eating establishment utilizing
22 ordering from the vehicle; provided, any sign
23 shall not exceed six (6) feet in height, and shall
24 not be permitted in the required front or side
25 yard of the district in which it is located.
- 26 (M) Signs painted, printed or mounted on vehicles
27 which are incidentally displayed on any vehicle
28 in connection with the use of such vehicle for
29 transportation purposes, are permitted, provided
30 such vehicles are licensed and operable.
- 31 (N) In all residential districts, a temporary garage
32 sale sign is permitted in connection with a garage

1 sale, yard sale, carport sale, home moving or
2 other similar sale. Such sign shall not exceed
3 four (4) square feet in area nor three (3) feet
4 in height and may be located in the required front
5 yard. The sign shall be removed as soon as the
6 garage sale is over.

7 (0) In all non-residential districts a temporary sign
8 announcing moving of a business to a new location
9 is permitted for a period of sixty (60) days.

10 Such sign shall not exceed fifty (50) square feet
11 in area.

12 34.130 - Special Sign District. In any nonresidential
13 district, occupants of sixty percent (60%) or more of the street
14 frontage of any block face, may petition the City Plan Commission
15 for the formation of a special sign district for the purpose
16 of defining an area of particular historical, ethnic, cultural,
17 or entertainment atmosphere. Those occupants shall present proposed
18 sign criteria to the City Plan Commission for a special sign
19 district.

20 34.140 - Variance Procedure. The Board of Zoning Appeals
21 may approve or deny variance for area, location, spacing and
22 height of sign from the terms of the sign ordinance and may approve
23 or deny variance for roof sign in accordance with Section 34.120(c).
24 The Board may impose reasonable conditions as part of its approval.
25 A variance may be approved under this section only upon a deter-
26 mination in writing that:

27 (a) The approval will not be injurious to the unique
28 character of surrounding area;

29 (b) The use and value of adjacent area will not be
30 affected in an adverse manner;

31 (C) The need for the variance arises from some condition
32 peculiar to the property involved (such as topography);

1 (D) The strict application of the terms of the sign
2 ordinance will constitute an unnecessary hardship
3 if applied to the sign for which the variance
4 is sought.

5 The Board of Zoning Appeals is authorized to make vari-
6 ances as shown below:

7 (A) The height of sign not be increased more than
8 twenty percent (20%) of the permitted height unless
9 the topography of land where sign is to be mounted
10 is such that it needs additional height;

11 (B) The setback for sign from front lot line not be
12 reduced less than the set back of pole sign, ground
13 signs, or a building on either side of the proposed
14 sign;

15 (C) The spacing between 2 signs not be reduced less
16 than ten percent (10%) of that required unless
17 a business cannot erect a pole or a ground sign
18 under the provisions of this ordinance;

19 (D) A sign with 100 square feet or less in area may
20 be increased by 30%, a sign with 300 square feet
21 or less may be increased by 20%, a sign with more
22 than 300 square feet may not be increased more
23 than 10% in area;

24 (E) An existing sign that was erected prior to the
25 adoption of this ordinance may be replaced within
26 90 days after its removal as long as the height
27 and area of new sign is no more than ten percent
28 (10%) of the pre-existing sign.

29 34.150 - Conformity. It shall be illegal for any sign
30 to be placed, erected or constructed except as provided in this
31 Chapter. Any person, firm, or corporation violating any provisions
32 of this Chapter, or failing to comply with any order or regulation

1 made hereunder shall be in violation and subject to all penalties
2 thereof.

3 34.160 - Nonconforming Signs. Reasonable repairs,
4 alterations and conversions may be made to nonconforming signs
5 as long as location, height and area is same as that of noncon-
6 forming sign or meets the requirements of this ordinance. However,
7 in the event that any such sign is hereafter damaged exceeding
8 fifty percent (50%) of the reproduction value according to ap-
9 praisal thereof by a licensed appraiser, or is removed by any
10 means whatsoever, including an act of God, such sign may be re-
11 stored, reconstructed, altered or repaired only to conform with
12 the provisions of this Chapter.

13 34.170 - Enforcement. It shall be the duty of the
14 Zoning Enforcement Officer to enforce the provisions of this
15 Chapter in the manner and form with the powers provided by this
16 Chapter and any and all other provisions of this Code, and as
17 provided in the laws of the State of Indiana.

18 All departments, officials and employees of the City
19 which are vested with the duty or authority to issue permits
20 or licenses shall conform to the provisions of this Chapter and
21 will not issue any permit or license for any sign which would
22 conflict with the provisions of this Chapter.

23 34.180 - Filing Fees. Applications for improvement
24 location permits shall be paid to and collected by the Zoning
25 Enforcement Officer based on the following:

- 26 (A) For sign permit applications in residential zones,
27 except for individual name plates, the fee shall
28 be \$10.00.
- 29 (B) For sign permit applications in office and com-
30 mercial zones, the fee shall be \$25.00.
- 31 (C) For sign permit applications in industrial zones,
32 the fee shall be \$50.00.

1 No part of any filing fee paid pursuant to this Chapter
2 shall be returnable to the applicant or petitioner.

3 34.190 - Penalties and Injunctive Relief. Any person,
4 whether as principal, agent, owner, lessee, tenant, contractor,
5 builder, architect, engineer or otherwise who violates any provision
6 of this Chapter, shall be fined not less than Ten Dollars (\$10.00)
7 nor more than Three Hundred Dollars (\$300.00) for each offense.
8 Each day of the existence of any violation of the Chapter shall
9 be a separate offense.

10 The erection, construction, enlargement, conversion,
11 moving or maintenance of any sign and the use of any sign which
12 is continued, operated or maintained contrary to any provisions
13 of this Chapter, is hereby declared to be a nuisance and in viola-
14 tion of this Chapter and unlawful. The Division of Community
15 Development and Planning, by its Zoning Enforcement Officer,
16 in the name of the City and/or its Corporation Counsel, may institute
17 a suit for injunction in the Circuit Court or any Superior Court
18 of the County to restrain any person or governmental unit from
19 violating any provision of this Chapter and to cause such violation
20 to be prevented, abated or removed. Such action may also be
21 instituted by any property owner who may be especially damaged
22 by the violation of any provision of this Chapter.

23 The remedies provided for in this Chapter shall be
24 cumulative and not exclusive and shall be in addition to any
25 other remedies provided by law.

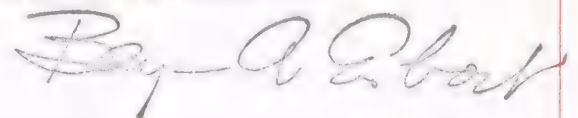
26 34.200 - Severability of Provisions of this Chapter.
27 If any section, clause, provision or portion of this Chapter
28 is adjudged unconstitutional or invalid by a court of competent
29 jurisdiction, the remainder of this Chapter shall not be affected
30 thereby. (Ord. No. G-10-83, Subsection 23, 4-12-83).

31 WHEREAS, it is desirable to review this Sign Ordinance
32 and the impact thereof.

1 SECTION 2. The Sign Ordinance, as passed and adopted
2 by Common Council, shall be reviewed within six (6) months from
3 the effective date of said Sign Ordinance. The appointments
4 by the Mayor will be made from the follwoing groups:

- 5 2 representatives of the City's
6 Department of Community
7 Development and Planning;
- 8 2 representatives of the local
9 neighborhood associations;
- 10 2 representatives of the User
11 groups;
- 12 2 representatives of the local
13 sign industry; and
- 14 1 representative appointed by
15 the President of City Council;

16 SECTION 3. That this Ordinance shall be in full force
17 and effect from and after its passage and any and all necessary
18 approval by the Mayor and legal publication thereof.



Councilmember

19 APPROVED AS TO FORM
20 AND LEGALITY

21 
22 _____
23 Bruce O. Boxberger, City Attorney

24
25 This Ordinance shall be effective November 6, 1986.
26
27
28
29
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31
32

Sign Ordinance G. - 86-07-07 ① As Amended
② As Amended
③ As Amended
④ As Amended

Read the first time in full and on motion by _____,
seconded by _____, and duly adopted, read the second time
by title and referred to the Committee _____ (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne
Indiana, on _____, the _____ day of _____,
19 _____, at _____ o'clock _____ .M., E.S

DATE: _____
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by President,
seconded by Levin, and duly adopted, placed on its
passage. PASSED (~~LOST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>7</u>	<u>1</u>	<u>1</u>		
BRADBURY	<u>✓</u>				
BURNS	<u>✓</u>				
EISBART	<u>✓</u>				
GiaQUINTA			<u>✓</u>		
HENRY	<u>✓</u>				
REDD	<u>✓</u>				
SCHMIDT	<u>✓</u>				
STIER	<u>✓</u>				
TALARICO		<u>✓</u>			

DATE: 10-14-86
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. G-3486
on the 14th day of October, 1986,

ATTEST: (SEAL)
Sandra E. Kennedy Samuel J. Talarico
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 17th day of October, 1986,
at the hour of 10:30 o'clock A. .M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 17th day of October,
19 86, at the hour of 2nd o'clock P. .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

1 BILL NO. G-86-09-09 (AS AMENDED) (AS AMENDED)

2 GENERAL ORDINANCE NO. G- _____

3 AN ORDINANCE regulating the use
4 and placement of signs within the
City of Fort Wayne, Indiana.

5 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL
6 OF THE CITY OF FORT WAYNE, INDIANA:

7 CHAPTER 34

8 "SIGNS"

9	Section:	34.010	Purpose
		34.020	Definitions
10		34.030	Requirement of Permit
		34.040	Maintenance and Removal
11		34.050	Miscellaneous Provisions
		34.060	Signs Permitted in All Districts
12		34.070	Residential Districts
		34.080	Office Districts
13		34.090	Business Districts
		34.100	Industrial Districts
14		34.110	Planned Districts
		34.120	Other Permitted Signs
15		34.130	Special Sign District
		34.140	Variance Procedure
16		34.150	Conformity
		34.160	Nonconforming Signs
17		34.170	Enforcement
		34.180	Filing Fees
18		34.190	Penalties
19		34.200	Severability of Provisions of This Chapter

20 34.010 - Purpose. The sign regulations for this chapter
21 are set forth in this Chapter. Any additional conditions imposed
22 by the State of Indiana or federal government and other applicable
23 ordinances or regulations also apply.

24 The regulation of signs is necessary for the following
25 reasons:

- 26 (A) To preserve the unique character of certain areas
27 of the city;
- 28 (B) To protect and promote property values and economic
29 growth of the community;
- 30 (C) To protect the public safety and welfare from
31 damages or injury partially attributed to dis-
32 tractions and/or obstructions caused by improperly
33 situated and flashing signs;

1 (D) To promote the convenience and enjoyment of travel
2 within the City of Fort Wayne;

3 (E) To improve appearance and aesthetic quality of
4 the community.

5 34.020 - Definitions. For the purposes of this chapter,
6 the following words and phrases shall have the meanings respectively
7 ascribed to them by this section:

8 (A) Sign shall mean any identification, description,
9 symbol, illustration or device which is in view
10 of the general public and which identifies or
11 directs attention to a person, place, product,
12 service, activity, institution or business.

13 (B) On-Premise Sign shall mean any sign which identifies
14 or directs attention to a product, service, activity
15 or business conducted on the premises on which
16 the sign is located.

17 (C) Off-Premise Sign shall mean any sign which identifies
18 or directs attention to a product, service, or
19 activity not conducted on the premises on which
20 the sign is located;

21 (D) Area of Sign shall mean the area of the largest
22 single face of the sign, within a perimeter which
23 forms the outside shape including any frame which
24 forms an integral part of the display, but excluding
25 necessary supports, uprights or on which the sign
26 may be placed. If the sign consists of more than
27 one section or module, all areas will be totaled.
28 Individual letters mounted or painted on a wall
29 shall be calculated as copy area.

30 (E) Construction Sign shall mean any sign announcing
31 the names of architects, engineers, contractors
32 or other individuals or firms involved with the

1 construction, alteration, or repair of a building
2 project or announcing the character of the building
3 enterprise or the purpose for which the project
4 is intended.

5 (F) Copy Area shall mean the area in square feet of
6 the smallest geometric figure which encloses the
7 area enclosed by the actual copy of a sign.

8 (G) Copy (Permanent and Changeable) shall mean the
9 wording on a sign surface either in permanent
10 or removable letter form;

11 (H) Direction Sign shall mean any sign which serves
12 solely to designate the location or direction
13 of any area or place;

14 (I) Directory Sign shall mean a sign which provides
15 a listing of uses or tenants within a particular
16 building or complex of buildings.

17 (J) Facade shall mean any face of a building which
18 faces a street, private roadway, parking lot,
19 pedestrian walkway, or exterior wall at an angle
20 to a street;

21 (K) Flashing Sign shall mean any sign which contains
22 or is lighted by an externally mounted inter-
23 mittent or flashing light source.

24 (L) Ground Sign shall mean a billboard or similar
25 type of sign which is supported by one or more
26 uprights, poles, or braces in or upon the ground
27 other than a pole sign, as defined in this Chapter;

28 (M) Height of a Sign shall mean the distance between
29 the lowest grade level within two (2) feet of
30 either side of a sign, and the highest part of
31 the sign or its supporting structure;

32 (N) Illuminated Sign shall mean any sign which is
33 directly lighted by any electrical light source,
34 internal or external (See 34.050 (c));

- 1 (O) Marquee (or canopy or mansard-type projection)
2 shall mean a permanent roof-like shelter extending
3 from part or all of a building face;
- 4 (P) Marquee Sign (or canopy sign) shall mean a sign
5 designed and constructed as an integral part of
6 a marquee or giving the appearance of being an
7 integral part of a marquee;
- 8 (Q) Mobile Sign shall mean a sign which is designed
9 to be moved from one location to another by means
10 of wheels;
- 11 (R) Pole Sign shall mean a sign wholly supported by
12 a sign structure in the ground with any part of
13 the copy area having a minimum of ten (10) foot
14 clearance above grade;
- 15 (S) Projecting Sign shall mean a sign other than a
16 wall sign which is attached to and projects from
17 a structure or building face and does not project
18 above roofline or cornice wall;
- 19 (T) Projection shall mean the distance by which a
20 sign extends beyond a building or structure;
- 21 (U) Real Estate Sign shall mean any sign which identi-
22 fies an offer of the sale, rental, or lease of
23 the premises on which it is located;
- 24 (V) Roof Sign shall mean any sign or part erected
25 upon, against, or directly above a roof or on
26 top of or above the parapet or cornice wall of
27 a building;
- 28 (W) Rotating Sign shall mean any sign or portion of
29 a sign which moves in a revolving or similar manner,
30 but not including multi-prism indexing signs;
- 31 (X) Seasonal or Holiday Signs shall mean signs used
32 for special noncommercial occasions, such as

1 religious and national holidays, and installed
2 for a limited period of time;

3 (Y) Temporary Sign shall mean a sign which is not
4 permanently erected or affixed including all devices
5 such as banners, pennants, flags (not intended
6 to include flags of any nations) or advertising
7 display constructed of cloth, canvas, light fabric,
8 cardboard, wallboard, or other light materials,
9 with or without frames, intended to be displayed
10 for a limited period of time only;

11 (Z) Wall Sign shall mean any sign attached to the
12 wall whether parallel or at an angle to the wall
13 of a building with the display surface to which
14 it is attached, and which projects no more than
15 twelve (12) inches from said wall surface;

16 (AA) Window Sign shall mean a sign installed on a window
17 which is intended to be viewed from outside the
18 premises and is three (3) feet or less from the
19 window or is located within a window display area
20 formed by walls or doors that block the view into
21 the main building.

22 34.030 - Requirement of Permit. A sign permit shall
23 be required before the erection, construction, placing or locating
24 of all signs regulated by this ordinance, except as otherwise
25 exempted in this Chapter.

26 34.040 - Maintenance and Removal.

27 (A) All signs, including, but not limited to, those
28 signs for which permits are required, shall be
29 maintained in a good state of repair, including
30 replacement of defective parts, painting, cleaning
31 and other acts required for the maintenance of
32 said sign.

33 Any person who is also a Zoning Enforcement
34 Officer for the City of Fort Wayne, or his/her

1 authorized representative, hereinafter the "Zoning
2 Enforcement Officer", shall have the right of entry
3 in order to inspect all signs for compliance with the
4 provisions of this ordinance.

5 When any sign is not maintained within the provisions
6 of this ordinance or determined otherwise unsafe, the
7 Zoning Enforcement Officer, or his/her authorized repre-
8 sentative, shall send written notice to the owner of
9 the property and sign structure on which the sign is
10 located to remove, repair or alter the sign. If said
11 sign is not removed, repaired, or altered within 90
12 working days, the Zoning Enforcement Officer, or his/her
13 authorized representative, can cause the sign to be
14 removed, repaired, or altered at the expense of the
15 owner of the property in accordance with the provisions
16 of this Chapter;

17 (B) Signs shall be considered no longer functional
18 and abandoned when they cease to perform their
19 intended function.

20 Signs which are no longer functional or abandoned
21 shall be removed within 90 days following such abandon-
22 ment. If said sign is not removed, the Zoning Enforce-
23 ment Officer, or his/her authorized representative,
24 shall send written notice to the owner of the property
25 on which the sign is located, notifying him that said
26 sign must be removed within 90 working days or the
27 City of Fort Wayne can cause the sign to be removed
28 at the expense of the owner of the sign;

29 (C) Any legally established sign that does not comply
30 with the provisions of this Chapter "Legal Non-
31 conforming Sign" shall be permitted as long as
32 there is no alteration in size or location. If
such sign is damaged or dilapidated more than

1 fifty percent (50%) of its replacement cost, ac-
2 cording to appraisal by a licensed appraiser,
3 at time of damage or repair, it shall not be rebuilt;
4 provided, that nothing in this section shall pre-
5 vent maintenance, repainting or normal repair
6 of legally established nonconforming signs except
7 as otherwise provided in this Chapter;

8 34.050 - Miscellaneous Provisions.

- 9 (A) No sign or part hereof shall be erected or main-
10 tained except in conformance with the provisions
11 of this Chapter;
- 12 (B) No sign or part thereof shall be erected or main-
13 tained in required front, side, or rear yard in
14 any zoning district as setforth in the Zoning
15 Ordinance, Chapter 33 of the Municipal Code of
16 the City of Fort Wayne, except as provided in
17 this Chapter;
- 18 (C) Signs may be illuminated by direct or indirect
19 lighting sources, provided that the beam from
20 an indirect source shall be effectively concealed
21 from view. Signs which incorporate in any manner
22 any flashing, moving or revolving illumination
23 are not permitted except as provided in this Chapter
24 and provided that the illumination of any sign
25 shall not exceed 300 foot lamberts as measured
26 at any point on the property line upon which the
27 sign is located;
- 28 (D) No sign shall blink or flash, nor be illuminated
29 by any device so as to appear to blink or flash,
30 except as otherwise expressly provided in this
31 Chapter;
- 32 (E) No sign shall move, rotate, revolve, or simulate
33 movement by means of spinning, fluttering, or

1 reflective devices or lighting, except a sign
2 may rotate or revolve at a rate not to exceed
3 six (6) revolutions per minute;

4 (F) No sign shall be erected upon, maintained in,
5 encroach upon or overhang any public right-of-way,
6 except as expressly provided in this Chapter;

7 (G) No sign shall be erected upon, against, or directly
8 above a roof or on top of or above the parapet
9 of a building except as expressly provided in
10 this Chapter;

11 (H) No sign shall exceed the maximum height permitted
12 for buildings in the zoning district in which
13 it is located, except as otherwise specifically
14 provided in this Chapter;

15 (I) Every sign shall be permanently attached to the
16 ground, or to a building or structure which is
17 permanently attached to the ground, except for
18 mobile signs;

19 (J) The area of a double-faced sign or V-type sign
20 not exceeding an angle of sixty degrees (60°)
21 is calculated on one face of the sign only;

22 (K) No sign shall be painted on or attached to rocks,
23 trees, or any other natural object, except monument
24 signs;

25 (L) Sign regulations for permitted special and con-
26 tingent uses and nonconforming uses shall be the
27 same as those of the Zoning district in which
28 they are located, except as otherwise provided
29 in this Chapter;

30 (M) No sign shall be erected, placed, or maintained
31 that obstructs the view of the existing traveled
32 roadway at the corner formed by intersecting streets
33 within that triangular area, bounded by the curb

1 lines and a diagonal line joining points on the
2 property lines located forty (40) feet from the
3 point of intersection of the property lines on
4 two intersecting streets. In the case of rounded
5 corners, the triangular area bounded by the tangents
6 to the curve of the property lines on two inter-
7 secting streets and a diagonal line joining tan-
8 ents to said curves at points that are located
9 forty (40) feet from the point of intersection
10 of said tangents. The tangents referred to are
11 those at the beginning and the end of the curve
12 of the corner. Any obstruction maintained or
13 existing in violation of this section shall be
14 deemed a public nuisance;

- 15 (N) No sign or part thereof shall be erected in those
16 zoning districts which are adjacent to or within
17 the area of the Interstate and Federal-Aid Primary
18 Road Systems in contravention of the advertising
19 controls of the State of Indiana;
- 20 (O) Signs which have any visible moving parts, including
21 signs which are designed to achieve movement by
22 action of wind currents, or which have mobile,
23 revolving, or animated parts are prohibited, ex-
24 cept for barber poles, time and temperature signs,
25 in non-residential districts no more than 25%
26 of total sign area may provide simulated movement
27 through shimmering by external light, and except
28 as permitted in this Chapter;
- 29 (P) Strings of light bulbs are prohibited, unless
30 as decorations associated with a recognized legal
31 holiday or city festival, in no case to be per-
32 mitted beyond a 45-day period, and consistent
33 with all other regulations in this Chapter.

1 (Q) Mobile signs may be located in B-1A, B-1B, B-3B,
2 B-4, M-1, M-2 and M-3 districts. Such signs shall
3 be permitted for a period of sixty (60) days.
4 Each improvement location permit for such a sign
5 shall not be issued for less than seven (7) days.

6 34.060 - Permitted Signs. The specific regulations
7 for signs and their supporting structures in the various zoning
8 districts are as set out in this Chapter. In the event of any
9 conflict, the most restrictive governing provision shall apply.

10 34.070 - Permitted Signs: Residential Districts.

11 (A) Permitted Signs; R-A, R-B, R-1, R-2, and R-3,
12 zoning districts. In the R-A, R-B, R-1, R-2 and
13 R-3, zoning districts, one on-premise wall sign,
14 not to exceed one (1) square foot of copy area,
15 nonilluminated and non-reflecting, used to identify
16 block parents, the name of the premises or occu-
17 pants thereof, or to provide similar information.

18 34.080 - Permitted Signs; Office District.

19 (A) Permitted Signs: POD zoning district.

20 (1) In POD districts, one on-premise wall sign
21 not exceeding thirty-two (32) square feet
22 in area for each main building, limited to
23 identifying the building or activity being
24 conducted on the premises, is permitted per
25 street frontage. Neon or gas tubing shall
26 be used only as internal, or shielded lighting.

27 (2) In the POD district, one on-premise ground
28 sign per street frontage, identifying the
29 name of the office park or primary activity
30 conducted within the district shall be per-
31 mitted. Such sign shall not exceed thirty-two
32 (32) square feet in area, shall have a maximum

1 height of six (6) feet, and shall be permitted
2 with a ten (10) foot setback from the front
3 lot line in the required front yard adjacent
4 to each public street access abutting the
5 perimeter of any POD district. Such sign
6 shall not face any residential district fifty
7 (50) feet away, only one sign per primary
8 entrance shall be permitted.

9 (3) In the POD district, if there are more than
10 one building, a directory sign is permitted.
11 Such sign shall be located in the interior
12 of the development with a maximum height
13 of six (6) feet and not exceed one and one
14 half (1.5) square feet per occupant or 50
15 square feet in total area, whichever is less.

16 (4) Any proposed sign in an POD district shall
17 be subject to Plan Commission review as part
18 of Development Plan process. The sign regu-
19 lation in subparagraphs 1, 2 and 3 above
20 may be modified by the Plan Commission with
21 the granting of development plan approval
22 in conformance with the other requirements
23 of the POD zoning district and other develop-
24 ment plan procedures.

25 (5) Pre-existing Signs. Any sign that was legally
26 erected in this district prior to the effective
27 date of this ordinance shall be deemed to
28 have received Plan Commission approval as
29 herein required and shall not be a nonconform-
30 ing sign. Such sign may be converted without
31 Plan Commission approval for new tenants,
32 as long as the location and copy area remains
same as that of pre-existing sign.

1 34.090 - Permitted Signs: Business Districts.

2 (A) Permitted Signs; B-1A, and B-1B zoning district.

3 In the B-1A and B-1B zoning district. Signs are
4 permitted in accordance with the following
5 regulations:

6 (1) On-premise wall signs on building facades,
7 per business, attached to the face of the
8 building, marquee, or mansard roof or substan-
9 tially parallel thereto and not projecting
10 beyond or above the roof or top of the cornice
11 wall, are permitted. The copy area of such
12 wall signs per building facade shall not
13 exceed twenty-five percent (25%) coverage
14 of the wall face or a total of one hundred
15 (100) square feet, whichever is the lesser.

16 (2) One on-premise pole sign per building per
17 street frontage is permitted. Such signs
18 shall be spaced a minimum of fifty (50) feet
19 apart between two lots along any street
20 frontage. If such sign is within 100 feet
21 or less of any City or County residential
22 district or less than fifty (50) feet from
23 any City or County office district in any
24 direction along frontage on both sides of
25 a street and cross streets, it shall not
26 exceed fifty (50) square feet in area, and
27 shall have a maximum height of fifteen (15)
28 feet. Any such sign located more than 100
29 feet from City or County residential district
30 or more than fifty (50) feet from any City
31 or County office district in any direction,
32 along frontage on both sides of a street

1 and cross streets, shall be spaced 50 feet
2 apart between two lots along any street frontage
3 and shall not exceed 100 square feet in area
4 and not exceed 1 1/2 times the height of
5 the building it advertises or 35 feet in
6 height, whichever is less. Such signs shall
7 be located a minimum of 7.5 feet from front
8 lot line.

9 Where more than one business
10 is located on a lot, the on-premise pole
11 signs permitted shall be combined onto one
12 pole. If located within 100 feet or less
13 of any City or County residential district
14 and 50 feet from any City or County office
15 district in any direction along frontage
16 on both sides of a street and cross streets,
17 the resultant sign shall not exceed twenty-four
18 (24) square feet per business or one hundred
19 (100) square feet in total area, whichever
20 is less. Such pole signs shall be spaced
21 a minimum of fifty (50) feet apart between
22 two lots along any street frontage. Such
23 sign shall have a maximum height of twenty
24 (20) feet. If such sign is located 100 feet
25 or more from any City or County residential
26 or 50 feet or more from any City or County
27 office zoning districts in any direction
28 along frontage on both sides of a street
29 and cross streets, the resultant sign shall
30 not exceed fifty (50) square feet per business
31 or two hundred (200) square feet in total
32 area, whichever is less. Such pole signs

1 shall be spaced a minimum of one hundred
2 (100) feet apart between two lots along any
3 street frontage. Such sign shall have a
4 maximum height of 1 1/2 times the height
5 of building it advertises or thirty-five
6 (35) feet, whichever is less. Such sign
7 shall be located a minimum of 7.5 feet from
8 front lot line.

- 9 (3) In lieu of the sign permitted in paragraph
10 (2) above, one on-premise ground sign is
11 permitted, such ground signs shall be spaced
12 a minimum of fifty (50) feet apart between
13 two lots along any street frontage and no
14 closer than 25 feet from any City or County
15 residential or 10 feet from any City or County
16 office district. Such signs may be located
17 in the required front yard but no closer
18 than five (5) feet from the front lot line
19 and shall not exceed thirty-two (32) square
20 feet in area and five (5) feet in height.
21 If such sign is located more than 50 feet
22 from any City or County residential or office
23 district it may be 50 square feet in area
24 and six (6) feet in height.

25 Where more than one business is located
26 on a lot, the on-premise ground signs shall
27 be combined. The resultant sign shall not
28 exceed twenty (20) square feet per business
29 nor seventy-five (75) square feet in total
30 area, whichever is less. Such ground sign
31 shall be spaced a minimum of fifty (50) feet
32 apart between two lots along any street frontage

1 and no closer than 50 feet from any City
2 or County residential or 25 feet from any
3 City or County office district. Such sign
4 may be located in the required front yard
5 but no closer than five (5) feet from the
6 front lot line and shall not exceed six (6)
7 feet in height. If such combined resultant
8 sign is located more than 50 feet from any
9 City or County residential or office district
10 it shall not exceed thirty-two (32) square
11 feet per business nor one-hundred (100) square
12 feet total area, whichever is less, shall
13 be located at least seventy-five (75) feet
14 apart between two lots along any street frontage
15 and have a maximum height of eight (8) feet.

16 (4) In lieu of the sign permitted in paragraphs
17 (2) and (3) above, one on-premise projecting
18 sign is permitted. Said projecting sign
19 may project from a building a maximum of
20 six (6) feet and may project into a required
21 front yard, but it shall not project above
22 the roof line or top of a cornice wall. Such
23 sign shall have a minimum ground clearance
24 of eight (8) feet above the walk or grade
25 below. The maximum area of such sign shall
26 be forty (40) square feet.

27 Where more than one business is located
28 on the lot, the on-premise projection signs
29 shall be combined, and resultant sign shall
30 not exceed fifteen (15) square feet per business
31 nor seventy-five (75) square feet in total
32 area, whichever is less.

1 (5) One on-premise marquee sign is permitted.
2 This sign may be attached to the marquee
3 provided such sign does not exceed three
4 (3) feet in height, may be as long as the
5 marquee and is designed as an integral part
6 of the marquee. Those signs projecting above
7 or below the marquee shall be erected at
8 a ninety (90) degree angle to the building,
9 and shall project no more than six (6) feet
10 with a minimum clearance of eight (8) feet
11 above the walk or grade below, and shall
12 not project above the cornice or roof of
13 the building.

14 (i) One off-premise sign not exceeding one
15 hundred (100) square feet in total area
16 is permitted in the B-1A and B-1B zoning
17 districts. Each off-premise sign may
18 contain a maximum of two (2) sign faces
19 facing the same direction as long as
20 the total sign area is not exceeded
21 and the two (2) faces are not separated
22 by more than twelve (12) inch distance.
23 Such sign shall be no closer than fifteen
24 (15) feet to the front lot line, shall
25 not exceed sixteen (16) feet in height,
26 and shall be spaced three hundred (300)
27 feet from any other off-premise sign
28 in any direction along frontage on both
29 sides of a street and cross streets.

30 Such off-premise sign shall not be
31 located closer than two hundred (200)
32 feet from any City or County residential
33 district and from any church, school

1 and health care facility. Such off-premise
2 sign shall not be located closer than
3 100 feet from any City or County office
4 district.

5 (ii) In lieu of item (i) above, one off-premise
6 sign not exceeding three hundred (300)
7 square feet in total area is permitted
8 in B-1A and B-1B zoning districts.

9 Such sign shall be no closer than twenty
10 (20) feet to the front lot line, shall
11 not exceed twenty-five (25) feet in
12 height, and spaced five hundred (500)
13 feet from any other off-premise sign
14 in any direction along frontage on both
15 sides of a street and cross streets.

16 Such sign shall not be located closer
17 than three hundred (300) feet from any
18 City or County residential districts
19 and from any church, school and health
20 care facility. Such sign shall not
21 be located closer than 150 feet from
22 any City or County office district.

23 (iii) A double-faced off-premise sign or a
24 V-type off-premise sign not exceeding
25 an angle of sixty degrees (60°) and
26 is not further than 12" at the closest
27 point between the two faces shall be
28 exempt from the spacing requirements
29 between such two sign faces only.

30 (6) Within fifty (50) feet of any City or County
31 residential or office zoning district, no
32 pole sign shall face directly toward such
district.

1 (B) Permitted Signs; B-2, Zoning District. In the
2 B-2 zoning district, the specific regulations
3 are as follows:

4 (1) Except as provided herein, all signs shall
5 be attached to a building or marquee and
6 shall not project above the top of the building
7 or marquee to which they are attached. Signs
8 attached to a building shall be substantially
9 parallel thereto and shall not project more
10 than one (1) foot from the face thereof.

11 All signs must show only the name and use
12 of the store or premise for which they are
13 erected or the identification for the entire
14 commercial area. The copy area of wall signs
15 on building facade per business shall not
16 exceed twenty-five percent (25%) coverage
17 of the wall surface, or 200 square feet in
18 area, whichever is less.

19 (2) One on-premise pole or ground sign or other
20 graphic identification identifying the entire
21 commercial area within a B-2 district and
22 not exceeding the maximum square footage
23 in area and height as provided in this section
24 may be permitted on each public street abutting
25 the perimeter of such district, provided
26 that such street frontage shall extend for
27 a contiguous distance of no less than three
28 hundred (300) feet. In B-2 zoning district,
29 if the frontage along a public street exceeds
30 one thousand (1,000) feet, there may be two
31 such on-premise pole or ground signs permitted
32 but not located closer than five hundred

(500) feet to each other. In addition, any distinct commercial area within the entire B-2 district which has an area of ten (10) acres or more and is designed as a distinct shopping complex shall be permitted one on-premise pole or ground sign, not exceeding one hundred (100) square feet in area on each public or private street abutting the perimeter of said area; provided that such frontage shall extend for a contiguous distance of no less than three hundred (300) feet.

Conforming signs are permitted in the required front yard but not closer than twenty (20) feet from the front property line. The maximum square footage for each district shall be:

B-2A	Area 150 square feet; Height 35 feet
B-2B & B-2C	Area 200 square feet; Height 40 feet
B-2D	Area 400 square feet; Height 50 feet

- (3) One on-premise marquee sign per business is permitted. Such on-premise marquee signs may be attached to the marquee provided such signs do not exceed three (3) feet in height and are designed as an integral part of the marquee. Those signs projecting above or below the marquee shall be erected at a ninety (90) degree angle to the building and shall project no more than six (6) feet with a minimum clearance of eight (8) feet above

1 the walk or grade below and shall not project
2 above the cornice wall or roof of the building.
3 All such marquee signs below the marquee
4 shall not exceed twelve (12) square feet
5 in area.

6 (4) Any proposed signs in the B-2 zoning district
7 shall be subject to Plan Commission review
8 as part of Development Plan process. The
9 sign regulations in subparagraphs 1, 2, and
10 3 above may be modified by the Plan Commission
11 with the granting of Development Plan approval
12 in conformance with all other requirements
13 of the applicable Development Plan procedures.

14 (5) Pre-existing Signs: Any sign that was legally
15 erected in this district prior to the effective
16 date of this ordinance shall be deemed to
17 have received Plan Commission approval as
18 herein required and shall not be a nonconform-
19 ing sign. Such sign may be converted without
20 Plan Commission approval for new tenants,
21 as long as the location and copy area remains
22 same as that of pre-existing sign.

23 (c) Permitted Signs; B-3-A Zoning District. In the
24 B-3-A zoning district, the specific regulations
25 are as follows:

26 (1) One on-premise marquee sign is permitted.
27 Such on-premise marquee signs may be attached
28 to the marquee provided such signs do not
29 exceed three (3) feet in height, may be as
30 long as the marquee and are designed as an
31 integral part of the marquee. Those signs
32 projecting above or below the marquee shall

1 be erected at a ninety (90) degree angle
2 to the building and shall project no more
3 than six (6) feet with a minimum clearance
4 of eight (8) feet above the walk or grade
5 below and shall not project above the cornice
6 wall or roof of the building. All such marquee
7 signs below the marquee shall not exceed
8 twelve (12) square feet in area.

9 (2) On-premise wall signs on building facades,
10 per business, attached to the face of the
11 building, marquee, or mansard roof or substantially
12 parallel thereto and not projecting above
13 or beyond the roof or top of the cornice
14 wall, are permitted. Such wall signs shall
15 project not more than twelve (12) inches
16 from the facade of the building with a minimum
17 clearance of eight (8) feet above the walk
18 or grade below. The copy area of such wall
19 signs per building facade shall be as follows:

- 20 (i) If the sign is located up to fifty (50)
21 feet height above the sidewalk, it shall
22 not exceed fifty (50) square feet;
23 (ii) If the sign is located over fifty (50)
24 feet above the sidewalk, it shall not
25 exceed one hundred (100) square feet;
26 (iii) If the sign is located over one hundred
27 (100) feet above the sidewalk, it shall
28 not exceed three hundred (300) square
29 feet.

30 (3) One on-premise pole sign per building per
31 street frontage is permitted. Such sign
32 shall be spaced a minimum of fifty (50) feet

1 apart between two lots along any street frontage.
2 Such pole sign shall not exceed one hundred
3 (100) square feet in area and shall have
4 a maximum length of 1 1/2 times the height
5 of building it advertises or thirty five
6 (35) feet whichever is less and shall be
7 located a minimum of fifteen (15) feet from
8 the front lot line.

9 (4) Strings of light bulbs may be used and signs
10 may blink or flash, except for the area covered
11 by the Calhoun Street Sign Ordinance. Signs
12 having electronically changing copy area
13 shall not exceed the provisions of paragraph
14 (1) and (2) above.

15 (5) Signs located in Calhoun Street shall comply
16 with the Calhoun Street Sign Ordinance, Chapter
17 3.5 of the Code of the City of Fort Wayne
18 as well as this Ordinance. In the event
19 of conflict between this ordinance and the
20 Calhoun Street Ordinance, the Calhoun Street
21 Ordinance will apply.

22 (D) Permitted Signs; B-3B and B-4 Zoning Districts.
23 In the B-3-B and B-4 zoning districts. Signs
24 are permitted in accordance with the following
25 regulations:

26 (1) One on-premise wall sign on the building
27 facade per business, attached to the face
28 of the building, marquee, or mansard roof
29 or substantially parallel thereto, and not
30 projecting beyond the roof or top of the
31 cornice wall, is permitted. The copy of
32 such wall signs per building facade shall

1 not exceed thirty percent (30%) coverage
2 of the wall face or a total of one hundred
3 fifty (150) square feet, whichever is less.

- 4 (2) One on-premise pole sign per building per
5 street frontage is permitted. If located
6 within one hundred (100) feet from any City
7 or County residential or within 50 feet from
8 any City or County office district, such
9 signs shall be spaced a minimum of fifty
10 (50) feet apart between two lots along any
11 street frontage. Pole sign shall not exceed
12 one hundred (100) square feet in area and
13 a pole sign shall have a maximum height of
14 twenty-five (25) feet, and shall be located
15 a minimum of ten (10) feet from any side
16 lot line. A pole sign may be located not
17 closer than fifteen (15) feet to the front
18 lot line. If such sign is located more than
19 one hundred (100) feet from any City or County
20 residential or more than 50 feet from any
21 City or County office zoning district, such
22 signs shall be spaced a minimum of one-hundred
23 (100) feet apart between two lots along any
24 street frontage. Pole sign shall not exceed
25 two hundred and fifty (250) square feet
26 in area and a pole sign shall have a maximum
27 height of 1 1/2 times the height of the building
28 it advertises or fifty (50) feet, whichever
29 is less and shall be located a minimum of
30 ten (10) feet from any side lot line and
31 may be located not closer than fifteen (15)
32 feet to the front lot line.

1 Where more than one business is located
2 on the lot, the on-premise pole signs permitted
3 shall be combined. If located within one
4 hundred (100) feet from any City or County
5 residential or within 50 feet from any City
6 or County office zoning district in any direction
7 along frontage on both sides of a street
8 and cross streets, the resultant sign shall
9 not exceed fifty (50) square feet per business
10 or one hundred and fifty (150) square feet
11 total, whichever is less, in area. Such
12 pole signs shall be spaced a minimum of fifty
13 (50) feet apart between two (2) lots along
14 any street frontage not to exceed 1 1/2 times
15 the height of the building it advertises
16 or thirty-five (35) feet in height. Such
17 sign shall be located a minimum of ten (10)
18 feet from any side lot line and may be located
19 no closer than fifteen (15) feet to the
20 front lot line.

21 If such sign is located more than one
22 hundred (100) feet from any City or County
23 residential or more than 50 feet from any
24 City or County office zoning district in
25 any direction along frontage on both sides
26 of a street and cross streets, the resultant
27 sign shall not exceed one hundred (100) square
28 feet per business or three hundred (300)
29 square feet total, whichever is less, in
30 area. Such pole signs shall be spaced a
31 minimum of one hundred (100) feet apart
32 between two (2) lots along any street frontage.

not to exceed 1 1/2 times the height of building it advertises or fifty (50) feet in height.

If a single business has a frontage that is more than three hundred (300) feet, a second on-premise pole sign may be installed, provided all other provisions of this regulation are met. Such signs shall not exceed one-hundred forty (140) square feet in area, not exceed 1 1/2 times the height of the building it advertises or thirty-five (35) feet in height whichever is less, and not be located closer than ten (10) feet to any side lot line and fifteen (15) feet to front lot line. Such sign shall be spaced a minimum of fifty (50) feet apart between two (2) lots along any street frontage.

- (3) In lieu of the sign permitted in paragraph (2) above, one on-premise ground sign is permitted, said ground sign shall be no closer than twenty-five (25) feet to any City or County residential or no closer than 10 feet to any City or County office district and be spaced a minimum of fifty (50) feet apart between two lots along any street frontage, but no closer than five (5) feet from the front lot line and shall not exceed fifty (50) square feet in area and six (6) feet in height. If such sign is located more than fifty (50) feet from any City or County residential or office district it may not exceed seventy-five (75) square feet in area and eight (8) feet in height.

1 Where more than one business is located
2 on the lot, the on-premise ground signs shall
3 be combined. The resultant sign shall not
4 exceed thirty (30) square feet per business
5 nor one-hundred (100) square feet in total
6 area, whichever is less. Such ground sign
7 shall be no closer than fifty (50) feet from
8 any City or County residential or no closer
9 than 25 feet from any City or County office
10 district and spaced a minimum of fifty (50)
11 feet apart between two lots along any street
12 frontage, but no closer than five (5) feet
13 to the front lot line and shall not exceed
14 eight (8) feet in height. If such combined
15 sign is located more than fifty (50) feet
16 from any City or County residential district
17 or more than 25 feet from any City or County
18 office district it shall not exceed forty-five
19 (45) square feet per business nor one hundred
20 fifty (150) square feet in total area, whichever
21 is less, shall be spaced seventy-five (75)
22 feet apart between two lots along any street
23 frontage and have a maximum height of 10
24 feet.

- 25 (4) In lieu of the sign permitted in paragraphs
26 (2) and (3) above, one on-premise projecting
27 sign for each business may project from the
28 building a maximum of six (6) feet and shall
29 not project above the roof line or top of
30 a cornice wall. Such sign shall have a minimum
31 clearance of eight (8) feet above the walk
32 or grade below, and a maximum area of fifty
 (50) square feet.

1 Where more than one business is located
2 on the lot, the on-premise projecting signs
3 shall be combined. The combined sign shall
4 not exceed thirty (30) square feet per business
5 nor one hundred (100) square feet in total
6 area, whichever is less.

7 (5) One on-premise marquee sign may be attached
8 to the marquee but not extend into or over
9 the public rightof-way, provided such signs
10 do not exceed five (5) feet in height, may
11 extend as long as the marquee and are designed
12 as an integral part of the marquee. Those
13 signs projecting above or below the marquee
14 shall be erected at a ninety degree (90°)
15 angle to the building and shall project no
16 more than six (6) feet with a minimum clearance
17 of eight (8) feet above the walk or grade
18 below and shall not project above the cornice
19 wall or roof of the building.

20 (6) One off-premise sign is permitted as follows:

21 (i) An off-premise sign not exceeding one
22 hundred (100) square feet in total area
23 is permitted in the B-3B and B-4 zoning
24 districts. Such sign shall be no closer
25 than fifteen (15) feet to the front
26 lot line, shall not exceed sixteen (16)
27 square feet in height, and spaced two
28 hundred fifty (250) feet from any other
29 off-premise sign in any direction along
30 frontage on both sides of a street and
31 cross streets. Such off-premise sign
32 shall not be located closer than two

1 hundred (200) feet from any City or
2 County residential district and from
3 any church, school and health care facility.
4 Such off-premise sign shall not be located
5 closer than One Hundred (100) feet from
6 any City or County office district.

7 (ii) In lieu of item (i) above, one off-premise
8 sign not exceeding three hundred (300)
9 square feet in total area is permitted
10 in the B-3B and B-4 zoning districts.
11 Such sign shall be no closer than twenty
12 (20) feet to the front lot line, shall
13 not exceed 1.5 times the height of the
14 adjacent building closest to such sign
15 or thirty-five (35) feet whichever is
16 less, and shall be spaced three hundred
17 (300) feet from any other off-premise
18 sign in any direction along frontage
19 on both sides of a street and cross
20 streets. Such off-premise sign shall
21 not be located closer than three hundred
22 (300) feet from any City or County resi-
23 dential district and from any church,
24 school and health care facility. Such
25 off-premise sign shall not be located
26 closer than 150 feet from any City or
27 County office district.

28 (iii) In lieu of items (i) and (ii) above,
29 one off-premise sign not exceeding six
30 hundred seventy-five (675) square feet
31 in total area is permitted in B-3B and
32 B-4 zoning districts. Each off-premise

1 sign may contain a maximum of two sign
2 faces facing the same direction as long
3 as the two faces are not separated by
4 more than 12 inch distance. Such sign
5 shall be no closer than twenty-five
6 (25) feet to the front lot line, shall
7 not exceed 1.5 times the height of the
8 adjacent building closest to such sign
9 or thirty-five (35) feet whichever is
10 less.

11 The spacing between such off-premise
12 sign and any other off-premise sign
13 shall be as follows:

14 A. The minimum distance between
15 off-premise signs located
16 along and oriented toward
17 the same public street shall
18 be seven hundred fifty (750)
19 feet, subject to the following:

20 (a) The spacing requirement
21 shall be applied separately
22 to each side of a public
23 street.

24 (b) The spacing requirement
25 shall be applied continu-
26 ously along the side
27 of a street to all signs
28 oriented toward that
29 street in either direction
30 whether the signs are
31 in the same block or
32 are in different blocks
separated by an inter-
secting side street.

1 B. In no event shall an off-premise
2 sign be closer than two hundred
3 fifty (250) feet from any
4 other off-premise sign regard-
5 less of location or orientation.

6 C. The method of measurement
7 of the spacing between off-premise
8 signs oriented toward and
9 located along the same side
10 of a street, between signs
11 oriented toward different
12 streets, and between those
13 signs oriented toward but
14 located on opposite sides
15 of the same street, shall
16 be the straight line distance
17 between the nearest point
18 of each sign.

19 Such off-premise sign shall not
20 be located closer than Five Hundred
21 (500) feet to any City or County
22 residential district and from
23 any church, school and health
24 care facility. Such off-premise
25 sign shall not be located closer
26 than 250 feet to any City or
27 County office district.

28
29 (iv) Each off-premise sign may contain a
30 maximum of two sign faces facing the
31 same direction as long as the total
32 sign area is not exceeded and the two

1 faces are not separated by more than
2 12 inch distance.

3 (v) A double-faced off-premise sign or a
4 V-type off-premise sign not exceeding
5 an angle of sixty degrees (60°) and
6 no further than 12" at the closest point
7 between the two faces shall be exempt
8 from the spacing requirements between
9 such two sign faces only.

10 (7) Within fifty (50) feet of any City or County
11 residential or office zoning districts, no
12 pole sign shall face directly toward such
13 district.

14 (E) Permitted Signs, I-A Zoning District. In the
15 I-A zoning district, the specific regulations
16 are as follows:

17 (1) One on-premise wall sign on the building
18 facade per business, attached to the face
19 of the building, marquee, or mansard roof
20 or substantially parallel thereto and not
21 projecting beyond or above the roof or top
22 of the cornice wall is permitted. The copy
23 area of such wall sign shall not exceed thirty
24 percent (30%) coverage of the wall face,
25 or one hundred fifty (150) square feet, which-
26 ever is less.

27 (2) One on-premise pole sign for each building
28 per street frontage is permitted. Such sign
29 shall not be closer than fifty (50) feet
30 to any City or County residential or office
31 district. If such sign is located within
32 one hundred (100) feet from any City or County

1 residential or within 50 feet from any City
2 or County office district, it shall not exceed
3 one hundred (100) square feet in area, height
4 not to exceed 1 1/2 times the height of the
5 building it advertises or thirty-five (35)
6 feet whichever is less and shall be spaced
7 at least fifty (50) feet apart between two
8 (2) lots along any street frontage. If such
9 sign is located more than one hundred (100)
10 feet from any City or County residential
11 or more than 50 feet from any City or County
12 office zoning district, it shall not exceed
13 two hundred (200) square feet in area, height
14 not to exceed 1 1/2 times the height of the
15 building it advertises or fifty (50) feet
16 whichever is less and shall be spaced at
17 least one hundred (100) feet apart between
18 two (2) lots along any street frontage.
19 Such signs shall not be located closer than
20 twenty (20) feet to front lot line.

21 Where more than one business is located
22 on a lot, the on-premise pole signs permitted
23 shall be combined. If such combined sign
24 is located within one hundred (100) feet
25 from any City or County residential or within
26 50 feet from any City or County office zoning
27 district, it shall not exceed sixty (60)
28 square feet per business or two hundred
29 (200) square feet total whichever is less,
30 in area. Such pole sign shall be spaced
31 at least one hundred (100) feet apart between
32 two (2) lots along any street frontage.

1 If the combined sign is located more than
2 one hundred (100) feet from any City or County
3 residential or more than 50 feet from any
4 City or County office zoning district it
5 shall not exceed seventy-five (75) square
6 feet per business or three hundred (300)
7 square feet total whichever is less, in area.
8 Such pole sign shall be spaced at least two
9 hundred (200) feet apart between two (2)
10 lots along any street frontage. Such combined
11 pole sign shall not be located closer than
12 twenty (20) feet to front lot line.

- 13 (3) In lieu of the sign permitted in paragraph
14 (2) above, one on-premise ground sign, for
15 each building per street frontage is permitted.
16 Such sign shall not be closer than twenty-five
17 (25) feet to any City or County residential
18 or closer than 10 feet to any City or County
19 office district. If such sign is located
20 within fifty (50) feet from any City or County
21 residential or within 25 feet from any City
22 or County office zoning district, it shall
23 not exceed seventy-five (75) square feet
24 in area, and height not to exceed ten (10)
25 feet. Such sign may be located in the required
26 front yard but not closer than ten (10) feet
27 from the front lot line and spaced fifty
28 (50) feet apart between two (2) lots along
29 any street frontage.

30 If such ground sign is located more
31 than fifty (50) feet from any City or County
32 residential or more than 25 feet from any

1 City or County office zoning district, it
2 shall not exceed one hundred fifty (150)
3 square feet in area, twelve (12) feet in
4 height and spaced seventy-five (75) feet
5 apart between two (2) lots along any street
6 frontage. Such ground sign shall not be
7 located closer than ten (10) feet to front
8 lot line.

9 Where more than one business is located
10 on a lot, the on-premise ground signs shall
11 be combined. If such combined sign is located
12 fifty (50) feet or less from any City or
13 County residential or 25 feet or less from
14 any City or County office zoning district
15 along side or front lot line, it shall not
16 exceed forty (40) square feet per business
17 or one-hundred fifty (150) square feet total
18 in area, whichever is less, not to exceed
19 fifteen (15) feet in height and spaced one
20 hundred (100) feet apart between two (2)
21 lots along any street frontage. If such
22 combined sign is located more than fifty
23 (50) feet from any City or County residential
24 or more than 25 feet from any City or County
25 office zoning district along side or front
26 lot line, it shall not exceed fifty (50)
27 square feet per business or two hundred (200)
28 square feet total in area whichever is less,
29 not to exceed twenty (20) feet in height
30 and spaced at least one-hundred fifty (150)
31 feet apart between two (2) lots along any
32 street frontage. Such ground sign shall

1 not be located closer than ten (10) feet
2 to front lot line.

3 (4) In addition to the foregoing, if a sign is
4 oriented towards an interstate and is within
5 six hundred sixty (660) feet of a designated
6 interstate or Federal Aid Primary Road System,
7 an on-premise pole sign may be seventy-five
8 (75) feet in height and four hundred (400)
9 square feet in area.

10 (5) Any proposed sign in an I-A zoning district
11 shall be subject to Plan Commission review
12 as part of Development Plan process. The
13 sign regulations in subparagraphs 1, 2, 3,
14 and 4 above may be modified by the Plan Commission
15 with the granting of development plan approval
16 in conformance with the other requirements
17 of the I-A zoning district and other develop-
18 ment plan procedures.

19 (6) Within fifty (50) feet of any City or County
20 residential or office zoning districts, no
21 pole sign shall face directly towards that
22 district.

23 (7) Pre-existing Signs: Any sign that was legally
24 erected in this district prior to the effective
25 date of this ordinance shall be deemed to
26 have received Plan Commission approval as
27 herein required and shall not be a nonconform-
28 ing sign. Such sign may be converted without
29 Plan Commission approval for new tenants,
30 as long as the location and copy area remains
31 same as that of pre-existing sign.
32

1 34.100 - Permitted Signs; Industrial Districts.

2 (A) Permitted Signs; M-1, M-2, and M-3 zoning districts.

3 In the M-1, M-2, and M-3 zoning districts, the
4 specific regulations are as follows:

5 (1) One on-premise wall sign on building facades
6 per business or industry, attached to the
7 face of the building, marquee, or mansard
8 roof or substantially parallel thereto and
9 not projecting above or beyond the roof or
10 top of the cornice wall, are permitted.
11 Such wall signs shall project not more than
12 twelve (12) inches from the facade of the
13 building with a minimum clearance of eight
14 (8) feet above the walk or grade below.
15 The copy area of such wall signs per building
16 facade shall not exceed twenty-five percent
17 (25%) coverage of the wall face or a total
18 of three hundred (300) square feet, whichever
19 is lesser.

20 (2) One on-premise pole sign on each street frontage
21 of a lot or a primary building is permitted.
22 If such sign is located within one hundred
23 (100) feet or less from any City or County
24 residential or within 50 feet from any City
25 or County office zoning district, it shall
26 not exceed one hundred (100) square feet
27 in area nor 1 1/2 times the height of building
28 it advertises or thirty-five (35) feet in
29 height, whichever is less. If such sign
30 is located more than one hundred (100) feet
31 from any City or County residential or more
32 than 50 feet from any City or County office

1 zoning district it shall not exceed two hundred
2 (200) square feet in area nor 1 1/2 times
3 the height of the building it advertises
4 or fifty (50) feet in height, whichever is
5 less. Such sign shall be located no closer
6 than fifteen (15) feet from the front lot
7 line and shall be spaced fifty (50) feet
8 apart between two (2) lots along any street
9 frontage.

10 Where more than one (1) company is located
11 on the lot, the on-premise pole signs shall
12 be combined. If such combined sign is located
13 one hundred (100) feet or less from any City
14 or County residential or 50 feet or less
15 from any City or County office zoning district
16 the sign shall not exceed sixty (60) square
17 feet per company or two hundred (200) square
18 feet total, whichever is less, nor 1 1/2
19 times the height of the building it advertises
20 or thirty-five (35) feet in height, whichever
21 is less.

22 If such combined sign is located more
23 than one hundred (100) feet from any City
24 or County residential or more than 50 feet
25 from any City or County office zoning district
26 the sign shall not exceed seventy-five (75)
27 square feet in area per company or three
28 hundred (300) square feet total, whichever
29 is less, in area and height not to exceed
30 1.5 times the height of building or fifty
31 (50) feet, whichever is less. Such pole
32 signs shall be spaced a minimum of one hundred

1 (100) feet apart between two (2) lots along
2 any street frontage. Such combined pole
3 sign shall be located no closer than fifteen
4 (15) feet to front lot line.

5 (3) In lieu of the sign permitted in paragraph
6 (2) above, one on-premise ground sign per
7 lot or primary building per street frontage
8 is permitted. Such sign shall be no closer
9 than twenty-five (25) feet to any City or
10 County residential or no closer than 10 feet
11 from any City or County office district.
12 If such sign is located fifty (50) feet or
13 less from any City or County residential
14 or office zoning district it shall not exceed
15 seventy-five (75) square feet in area nor
16 eight (8) feet in height. Such sign may
17 be located in the required front yard but
18 not closer than five (5) feet from front
19 lot line. If such sign is located more than
20 fifty (50) feet from any City or County residen-
21 tial or more than 25 feet from any City or
22 County office zoning district it shall not
23 exceed one hundred (100) square feet in area
24 nor ten (10) feet in height and shall not
25 be located closer than five (5) feet to the
26 front lot line.

27 Where more than one (1) company is located
28 on the lot, the on-premise ground signs shall
29 be combined, the combined sign shall not
30 exceed in area thirty (30) square feet per
31 company or one hundred fifty (150) square
32 feet total, whichever is less, nor ten (10)

1 feet in height and not be located closer
2 than five (5) feet to front lot line. Such
3 sign shall be located no closer than twenty-five
4 (25) feet to any City or County residential
5 or no closer than 10 feet to any City or
6 County office zoning district. If such combined
7 sign is located more than (50) feet from
8 any City or County residential or more than
9 25 feet from any City or County office district
10 it shall not exceed in area fifty (50) square
11 feet per company or two hundred (200) square
12 feet total, whichever is less, nor fifteen
13 (15) feet in height and not be located closer
14 than five (5) feet to the front lot line.
15 Such ground signs shall be placed a minimum
16 of fifty (50) feet apart between two lots
17 along any street frontage.

- 18 (4) One on-premise marquee sign is permitted.
19 Such on-premise marquee signs may be attached
20 to the marquee, provided such signs do not
21 exceed four (4) feet in height, may be as
22 long as marquee and are designed as an integral
23 part of the marquee. Those signs projecting
24 above or below the marquee shall be erected
25 at a ninety (90) degree angle to the building
26 and shall project no more than six (6) feet
27 with a minimum clearance of eight (8) feet
28 above the walk or grade below and shall not
29 project above the cornice wall or roof of
30 the building. All such marquee signs below
31 the marquee shall not exceed twelve (12) square
32 feet in area.

1 (5) In lieu of the sign permitted in paragraphs
2 (2) and (3) above, projecting signs may be
3 substituted. Such projecting signs may project
4 from the building a maximum of eight (8)
5 feet and shall not project above the roofline
6 or top of a cornice wall. Such sign shall
7 have a minimum clearance of ten (10) feet
8 above the walk or grade below and a maximum
9 area of forty (40) square feet.

10 (6) One off-premise sign is permitted as follows:

11 (i) One off-premise sign not exceeding one
12 hundred (100) square feet in total area
13 is permitted in M-1, M-2 and M-3 zoning
14 districts. Such sign shall be no closer
15 than fifteen (15) feet to the front
16 lot line, shall not exceed sixteen (16)
17 feet in height, and shall be spaced
18 at least two hundred fifty (25) feet
19 from any other off-premise sign in any
20 direction along frontage on both sides
21 of adjacent and cross streets. Such
22 off-premise sign shall not be located
23 closer than two hundred (200) feet to
24 any City or County residential districts
25 and from any church, school and health
26 care facility. Such off-premise sign
27 shall not be located closer than 100
28 feet to any City or County office district.

29 (ii) In lieu of item (i) above, one off-premise
30 sign not exceeding three hundred (300)
31 square feet in total area is permitted
32 in the M-1, M-2 and M-3 zoning districts.

1 Such sign shall be no closer than twenty
2 (20) feet to the front lot line, shall
3 not exceed 1.5 times the height of adjacent
4 building closest to such sign or thirty-
5 five (35) feet, whichever is less, and
6 shall be spaced at least three hundred
7 (300) feet from any other off-premise
8 sign in any direction along frontage
9 on both sides of a street and cross
10 streets.

11 Such off-premise sign shall not
12 be located closer than three hundred
13 (300) feet to any City or County residential
14 district and from any church, school
15 and health care facility. Such off-premise
16 sign shall not be located closer than
17 150 feet to any City or County office
18 district.

19 (iii) In lieu of items (i) and (ii) above,
20 one off-premise sign not exceeding six
21 hundred seventy-five (675) square
22 feet in total area is permitted
23 in M-1 and M-2 zoning districts.
24 Such sign shall be no closer
25 than thirty (30) feet to the
26 front lot line, shall not exceed
27 1.5 times the height of adjacent
28 building closest to such sign
29 or thirty-five (35) feet, whichever
30 is less, and shall be spaced at least
31 six hundred (600) feet from any other
32 off-premise sign in any direction along

1 frontage on both sides of a street and
2 cross streets. Such off-premise sign
3 shall not be located closer than five
4 hundred (500) feet to any City or County
5 residential or district and from any
6 church, school, and health care facility.
7 Such off-premise sign shall not be located
8 closer than 250 feet to any City or
9 County office district.

10 (iv) In lieu of items (i), (ii) or (iii)
11 above, one off-premise sign not exceeding
12 six hundred seventy-five (675) square
13 feet in area is permitted in M-3 zoning
14 district. Such sign shall be no closer
15 than thirty (30) feet to the front lot
16 line, shall not exceed 1.5 times the
17 height of adjacent building closest
18 to such sign or fifty (50) feet, whichever
19 is less, and shall be spaced five hundred
20 (500) feet from any other off-premise
21 sign in any direction along frontage
22 on both sides of a street and cross
23 streets. Such off-premise sign shall
24 be located a minimum of three hundred
25 (300) feet from any City or County resi-
26 dential district and from any church,
27 school and health care facility. Such
28 off-premise sign shall not be located
29 closer than 150 feet to any City or
30 County office district.

31 (v) Each off-premise sign may contain a
32 maximum of two sign faces facing the

1 same direction as long as the total
2 sign area is not exceeded and the two
3 faces are not separated by more than
4 12 inch distance.

5 (vi) A double-faced off-premise sign or a
6 V-type off-premise sign not exceeding
7 an angle of sixty degrees (60°) and
8 no further than twelve (12) inches at
9 the closest point between the two faces
10 shall be exempt from the spacing requirements
11 between such two sign faces only.

12 (7) Within fifty (50) feet of any City or County
13 residential or office zoning districts, no
14 pole sign shall face directly towards that
15 district.

16 34.110 - Planned Districts. The Planned Districts
17 addressed by the zoning ordinance covers all districts which
18 require a development plan to be approved by the Plan Commission.
19 These districts shall include POD, B-2 and I-A. In order for
20 any special sign treatment to be approved in these districts,
21 the developer shall submit a "master sign program" for that de-
22 velopment for the approval of the Plan Commission.

23 Such planned program shall include and address:

24 (A) Design, type, size, light and positioning for
25 all signs.

26 (B) Design type, size and positioning for any and
27 all individual or combined free-standing signs.

28 (C) All "comprehensive sign plan" documents should
29 indicate, for each sign:

30 (1) Size of sign face;

31 (2) Construction material;

32 (3) A rendering of signs;

- (1) There shall be permitted on an original tract when the main entrance to the subdivision is from a major street, one sign per entrance. The area of the sign, including support structure, shall not exceed seventy-five (75) square feet.
 - (2) It shall not be located in a required side or rear yard and no closer than ten (10) feet to front lot line.
 - (3) The height of such signs shall not exceed five (5) feet, with the height to be determined by a measurement from the ground level at the lowest grade level within two (2) feet of either side of the sign.
 - (4) Such sign may be ground lighted or internally illuminated.
 - (5) Such sign shall only be for the identification of the subdivision.
 - (6) The sign must be kept in good condition, neat appearance, and good state of repair. No debris shall be permitted so near thereto that the same shall constitute a fire hazard.
- (C) In all nonresidential zoning districts, a roof sign may be permitted as an alternative to a permitted ground or pole sign if a use variance for such sign has first been issued by the Board of Zoning Appeals in conformance with all requirements of Chapter 33. Such a sign will conform with the following requirements and the Board of Zoning Appeals cannot grant a waiver from these requirements:
- (1) The business for which the roof sign is sought offers no feasible opportunity for placement

1 of a ground or pole sign as otherwise authorized
2 within the zoning district;

3 (2) The roof signs shall not be higher than the
4 district height limitation for buildings;

5 (3) All such roof signs shall be finished in
6 such a manner that the visual appearance
7 from all sides is that they are a part of
8 the building itself;

9 (5) A sign on a sloping roof must be a minimum
10 of one (1) foot below the top roof line;

11 (5) The permitted roof sign shall be no larger
12 in area than the ground or pole sign permitted
13 in the zoning district in which said sign
14 is to be located.

15 (6) Such sign shall not be located closer than
16 sixty (60) feet to a residential district.

17 (D) In any zoning district, churches and schools are
18 permitted one on-premise ground sign, the area
19 of the sign not to exceed fifty (50) square feet
20 including the structure, and a height not to exceed
21 seven (7) feet. Additionally, one on-premise
22 wall sign is permitted with the area of the sign
23 not exceeding thirty-two (32) square feet.

24 Signs shall not be located in any required yard. One
25 temporary sign not exceeding twenty-four (24) square
26 feet in area and five (5) feet in height is permitted
27 for a maximum of seven (7) days for an event. Such
28 sign shall not be located closer than ten (10) feet
29 to the front lot line.

30 (E) In any zoning district, one on-premise real estate
31 sign may be erected on each street frontage of
32 a premises, identifying an offer for the sale,

1 rent, or lease of all or part of the premises
2 on which it is located. Such sign shall be removed
3 within one week after closing the sale, renting
4 or leasing of the property, and under the follow-
5 ing conditions:

6 (1) In any residential district, such real estate
7 sign shall not exceed six (6) square feet
8 of area. It may be located in a required
9 yard. Its height not to exceed four (4) feet.

10 (2) In any other zoning district, such real estate
11 sign shall not exceed thirty-two (32) square
12 feet in area and shall not be located in
13 any required yard. Its height not to exceed
14 eight (8) feet.

15 (3) In any zoning district, an Auction sign is
16 permitted, the area of the sign shall not
17 exceed thirty-two (32) square feet and a
18 height of six (6) feet. The sign is permitted
19 for twenty-one (21) days prior to auction
20 event and must be removed within five (5)
21 days after the event.

22 (F) In any zoning district, the following on-premise
23 signs shall be permitted;

24 (1) Official signs authorized by a government
25 or subdivision thereof, including traffic,
26 directional, and warning signs, public notices,
27 and proclamations erected or displayed in
28 discharge of any government function, or
29 where required by law, ordinance or regulation;

30 (2) Flags or banners of any government or sub-
31 division thereof, or of any educational,
32 charitable, religious, political, civic or
service organization;

- (3) Historical or commemorative plaques or tablets;
- (4) Memorial plaques, tablets, or building cornerstones, when cut or carved into a masonry surface, or when made of incombustible material and made an integral part of the building or structure it identifies;
- (5) Street names and numbers;
- (6) Reflectors and other safety signs or devices used to mark driveways, towers, airport approaches, and other potentially dangerous structures or situations; as well as warning signs for underground public utilities are permitted;
- (7) Holiday decorations for religious or national holidays are permitted. Such decorations may blink, flash, or move and may be located in a required yard, provided, however, that no such holiday decoration shall interfere with traffic or present any other hazard to the safety or welfare of the public;
- (8) One temporary construction sign per street frontage shall be permitted at a construction site to identify the nature of the construction and those persons or firms associated within, including contractors, architects, finance companies, and owners. Such signs shall not exceed sixteen (16) square feet of area and six (6) feet in height when located in residential districts. In any other zoning districts, if such sign is located within two hundred (200) feet of any residential district along side and front lot line, it

1 shall not exceed sixty-four (64) square feet
2 of area and ten (10) feet in height. If
3 such sign is located more than two hundred
4 (200) feet from any residential district
5 along side and front lot line, it shall not
6 exceed one hundred twenty-eight (128) square
7 feet in area and twelve (12) feet in height.
8 Such signs may be located ten (10) feet or
9 more from the front lot line;

10 (9) Temporary signs, including banners, pennants,
11 and flags shall be permitted for nonprofit
12 civic activities;

13 (10) Murals, exclusive of any sign copy area,
14 painted on the wall of a building, fence,
15 or similar structure shall be permitted.

16 (11) Historically significant signs may be exempted
17 from the provisions of this Chapter after
18 being reviewed and approved by the Historic
19 Preservation Review Board and in conformance
20 with any historic preservation ordinance
21 adopted by the City;

22 (12) Information signs, not to exceed six (6) square
23 feet in area and three (3) feet in height
24 which direct traffic within a premises, or
25 which identify the location of restrooms,
26 telephone, freight entrances, etc., are per-
27 mitted;

28 (13) Political campaign signs are permitted. These
29 signs shall be permitted not more than sixty
30 (60) days prior to the nomination, election
31 or referendum which it advertises, and shall
32 be removed within fifteen (15) days after

1 the announced results of that nomination,
2 election or referendum;

3 (14) Temporary institutional signs, not to exceed
4 thirty-two (32) square feet in area announcing
5 a campaign, drive or other event of a civic,
6 philanthropic, education or religious organi-
7 zation are permitted. These signs shall
8 be permitted not more than thirty (30) days
9 prior to the event and shall be removed within
10 seven (7) days after the event;

11 (15) Warning signs, warning the public against
12 hunting, fishing, trespassing, dangerous
13 animals, swimming, etc. are permitted, provided
14 the area of such signs not exceed four (4)
15 square feet and height not exceed three (3)
16 feet.

17 (G) In POD and all business and industrial districts,
18 one sign primarily for the displaying of the time,
19 temperature, weather, or similar public service
20 information shall be permitted. The copy area
21 displaying such information may change, blink,
22 flash, or have the appearance of movement; provided
23 that the changing copy area shall not exceed seventy-
24 five percent (75%) of the total copy area. Such
25 sign shall be integrated as a part of the permitted
26 sign for the premises on which it is located.

27 (H) In all business and industrial zoning districts,
28 temporary wall signs identifying special sales
29 and openings, shall be permitted on the premises
30 of commercial establishments for no more than
31 sixty (60) days in any calendar year. No such
32 signs exceeding sixty (60) square feet in area.

- (I) In all nonresidential districts, direction signs not exceeding six (6) square feet in area and three (3) feet in height above grade are permitted. Such signs may be located in any required yard.
- (J) The following signs are permitted on the premises used as service stations, in addition to those signs otherwise permitted in the zoning district in which such service station is located:
- (1) Signs are permitted on either face of the gas pump not to exceed a total copy area of four (4) square feet each side per motor fuel dispenser;
 - (2) One additional on-premise wall sign per street frontage not exceeding six (6) square feet of area each is permitted.
 - (3) One additional on-premise canopy sign per canopy face, except if it faces an abutting City or County residential or office district, not to exceed fifty (50) square feet per face;
 - (4) One two faced sign identifying self-service, full service and gas prices, each face not to exceed fifty (50) square feet in area per street frontage;
 - (5) Island signs not to exceed aggregate area of 10 square feet per side per island.
- (K) In all nonresidential zoning districts, permanent window signs shall be permitted, provided that such signage does not cover more than twenty-five percent (25%) of the area of any window.

1 (L) In any commercial district, two (2) on-premise
2 free-standing signs each not to exceed twenty
3 (20) square feet in area or one (1) on-premise
4 ground sign not to exceed thirty-two (32) square
5 feet in area functioning as menu boards are permitted
6 in conjunction with an eating establishment utilizing
7 ordering from the vehicle; provided, any sign
8 shall not exceed six (6) feet in height, and shall
9 not be permitted in the required front or side
10 yard of the district in which it is located.

11 (M) Signs painted, printed or mounted on vehicles
12 which are incidentally displayed on any vehicle
13 in connection with the use of such vehicle for
14 transportation purposes, are permitted, provided
15 such vehicles are licensed and operable.

16 (N) In all residential districts, a temporary garage
17 sale sign is permitted in connection with a garage
18 sale, yard sale, carport sale, home moving or
19 other similar sale. Such sign shall not exceed
20 four (4) square feet in area nor three (3) feet
21 in height and may be located in the required front
22 yard. The sign shall be removed as soon as the
23 garage sale is over.

24 (O) In all non-residential districts a temporary sign
25 announcing moving of a business to a new location
26 is permitted for a period of thirty (30) days.
27 Such sign shall not exceed fifty (50) square feet
28 in area.

29 34.130 - Special Sign District. In any nonresidential
30 district, occupants of sixty percent (60%) or more of the street
31 frontage of any block face, may petition the City Plan Commission
32 for the formation of a special sign district for the purpose

1 of defining an area of particular historical, ethnic, cultural,
2 or entertainment atmosphere. Those occupants shall present proposed
3 sign criteria to the City Plan Commission for a special sign
4 district.

5 34.140 - Variance Procedure. The Board of Zoning Appeals
6 may approve or deny variance for area, location, spacing and
7 height of sign from the terms of the sign ordinance. The Board
8 may impose reasonable conditions as part of its approval. A
9 variance may be approved under this section only upon a deter-
10 mination in writing that:

- 11 (A) The approval will not be injurious to the unique
12 character of surrounding area;
- 13 (B) The use and value of adjacent area will not be
14 affected in an adverse manner;
- 15 (C) The need for the variance arises from some condition
16 peculiar to the property involved (such as topography);
- 17 (D) The strict application of the terms of the sign
18 ordinance will constitute an unnecessary hardship
19 if applied to the sign for which the variance
20 is sought.

21 The Board of Zoning Appeals is authorized to make vari-
22 ances as shown below:

- 23 (A) The height of sign not be increased more than
24 twenty percent (20%) of the permitted height unless
25 the topography of land where sign is to be mounted
26 is such that it needs additional height;
- 27 (B) The setback for sign from front lot line not be
28 reduced less than the set back of pole sign, ground
29 signs, or a building on either side of the proposed
30 sign;
- 31 (C) The spacing between 2 signs not be reduced less
32 than ten percent (10%) of that required unless

1 a business cannot erect a pole or a ground sign
2 under the provisions of this ordinance;

3 (D) A sign with 100 square feet or less in area may
4 be increased by 30%, a sign with 300 square feet
5 or less may be increased by 20%, a sign with more
6 than 300 square feet may not be increased more
7 than 10% in area;

8 (E) An existing sign that was erected prior to the
9 adoption of this ordinance may be replaced within
10 90 days after its removal as long as the height
11 and area of new sign is no more than ten percent
12 (10%) of the pre-existing sign.

13 34.150 - Conformity. It shall be illegal for any sign
14 to be placed, erected or constructed except as provided in this
15 Chapter. Any person, firm, or corporation violating any provisions
16 of this Chapter, or failing to comply with any order or regulation
17 made hereunder shall be in violation and subject to all penalties
18 thereof.

19 34.160 - Nonconforming Signs. Reasonable repairs,
20 alterations and conversions may be made to nonconforming signs
21 as long as location, height and area is same as that of noncon-
22 forming sign or meets the requirements of this ordinance. However,
23 in the event that any such sign is hereafter damaged exceeding
24 fifty percent (50%) of the reproduction value according to ap-
25 praisal thereof by a licensed appraiser, or is removed by any
26 means whatsoever, including an act of God, such sign may be re-
27 stored, reconstructed, altered or repaired only to conform with
28 the provisions of this Chapter.

29 34.170 - Enforcement. It shall be the duty of the
30 Zoning Enforcement Officer to enforce the provisions of this
31 Chapter in the manner and form with the powers provided by this
32 Chapter and any and all other provisions of this Code, and as
provided in the laws of the State of Indiana.

1 All departments, officials and employees of the City
2 which are vested with the duty or authority to issue permits
3 or licenses shall conform to the provisions of this Chapter and
4 will not issue any permit or license for any sign which would
5 conflict with the provisions of this Chapter.

6 34.180 - Filing Fees. Applications for improvement
7 location permits shall be paid to and collected by the Zoning
8 Enforcement Officer based on the following:

9 (A) For sign permit applications in residential zones,
10 except for individual name plates, the fee shall
11 be \$10.00.

12 (B) For sign permit applications in office and com-
13 mercial zones, the fee shall be \$25.00.

14 (C) For sign permit applications in industrial zones,
15 the fee shall be \$50.00.

16 No part of any filing fee paid pursuant to this Chapter
17 shall be returnable to the applicant or petitioner.

18 34.190 - Penalties and Injunctive Relief. Any person,
19 whether as principal, agent, owner, lessee, tenant, contractor,
20 builder, architect, engineer or otherwise who violates any provision
21 of this Chapter, shall be fined not less than Ten Dollars (\$10.00)
22 nor more than Three Hundred Dollars (\$300.00) for each offense.
23 Each day of the existence of any violation of the Chapter shall
24 be a separate offense.

25 The erection, construction, enlargement, conversion,
26 moving or maintenance of any sign and the use of any sign which
27 is continued, operated or maintained contrary to any provisions
28 of this Chapter, is hereby declared to be a nuisance and in viola-
29 tion of this Chapter and unlawful. The Division of Community
30 Development and Planning, by its Zoning Enforcement Officer,
31 may institute a suit for injunction in the Circuit Court or any
32 Superior Court of the County to restrain any person or govern-

1 mental unit from violating any provision of this Chapter and
2 to cause such violation to be prevented, abated or removed. Such
3 action may also be instituted by any property owner who may be
4 especially damaged by the violation of any provision of this
5 Chapter.

6 The remedies provided for in this Chapter shall be
7 cumulative and not exclusive and shall be in addition to any
8 other remedies provided by law.

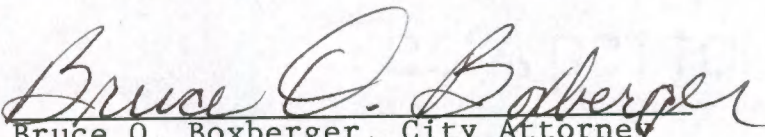
9 34.200 - Severability of Provisions of this Chapter.

10 If any section, clause, provision or portion of this Chapter
11 is adjudged unconstitutional or invalid by a court of competent
12 jurisdiction, the remainder of this Chapter shall not be affected
13 thereby. (Ord. No. G-10-83, Subsection 23, 4-12-83).

14 SECTION 2. That this Ordinance shall be in full force
15 and effect from and after its passage and any and all necessary
16 approval by the Mayor and legal publication thereof.

17
18
19 _____
Councilmember

20 APPROVED AS TO FORM
AND LEGALITY

21 
22 Bruce O. Boxberger, City Attorney
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